

San Francisco to San Jose Project Section

Scoping Report

APPENDIX H.3-H.4

October 2016



CALIFORNIA
High-Speed Rail Authority



U.S. Department
of Transportation
**Federal Railroad
Administration**

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Table of Contents

Appendix H – Scoping Meeting Materials

Appendix H.3 – Scoping Meeting HandoutsH.3.1

Appendix H.4 – Sign-In SheetsH.4.1

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Appendix H.3

Scoping Meeting Handouts

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NAME:		DATE:
REPRESENTING:	EMAIL:	
ADDRESS:		PHONE:
CITY:	STATE:	ZIP:
DO YOU HAVE A PREPARED STATEMENT THAT YOU WANT TO PROVIDE THE GROUP?		<input type="radio"/> YES <input type="radio"/> NO

IDENTIFY YOURSELF CLEARLY WHEN ADDRESSING THE GROUP. YOU WILL BE ALLOTTED TWO MINUTES TO PROVIDE PUBLIC COMMENT.

NAME:		DATE:
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IDENTIFY YOURSELF CLEARLY WHEN ADDRESSING THE GROUP. YOU WILL BE ALLOTTED TWO MINUTES TO PROVIDE PUBLIC COMMENT.

San Francisco to San Jose Project Section



PROJECT SECTION OVERVIEW

The San Francisco to San Jose Project Section is part of the first phase of the California High-Speed Rail System connecting the communities from San Francisco and Silicon Valley to the rest of the state. The approximately 51-mile Project Section will travel between stations at the Transbay Transit Center, 4th and King, near the San Francisco Airport (Millbrae), and in San Jose (Diridon).

The San Francisco to San Jose Project Section differs from others because the alignment has been defined by state legislation, Senate Bill 1029 (SB1029) and regional, multi-agency agreements. Per the requirements of SB 1029 high-speed rail service along the San Francisco to San Jose corridor will be a blended service with Caltrain and high-speed rail service sharing tracks.

PROJECT SECTION HIGHLIGHTS

- Approximately 51 miles (San Francisco to San Jose)
- Proposed stations: San Francisco 4th Street and King Street (interim until the Downtown Extension to the Transbay Transit Center is completed), San Francisco Airport (Millbrae), and San Jose (Diridon Station)
- Approach minimizes impacts on surrounding communities, reduces project cost, improves safety, and expedites implementation
- Incorporates passing track options, curve straightening, enhanced at-grade crossings, and corridor safety improvements

ENVIRONMENTAL PROCESS

In 2001, the Authority, in cooperation with the Federal Railroad Administration (FRA), started a tiered environmental review process for the statewide high-speed rail system per requirements of the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). The 2005 first-tier California High-Speed Rail Program Final Environmental Impact Report/ Environmental Impact Statement (Statewide Program EIR/EIS) described the program alignment, which included the San Francisco to San Jose Section.

The continued development of the San Francisco to San Jose Project Section is moving forward. Currently, the Authority is working with stakeholders as it completes the scoping process and develops both an Initial

Preferred Alternative and a Draft EIR/EIS. Scoping is a process under environmental review laws that allows other public agencies and the public to provide comment about issues that are likely to be of greatest importance during the Environmental Impact

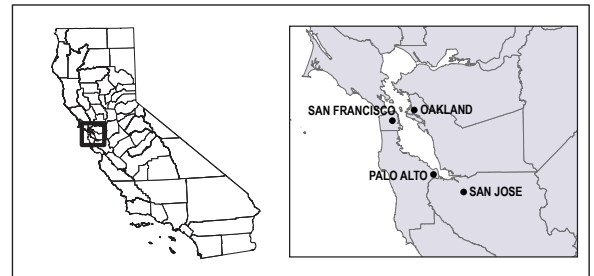
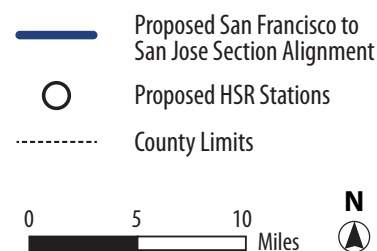
Assessments (EIA) and to eliminate other issues that are of little concern. Public participation is an integral part of scoping. If it is determined that there might be significant impacts associated with a concern that is raised during scoping, it will be analyzed in detail in the EIR/EIS.

A scoping process was initially conducted for the San Francisco to San Jose Project Section in 2009, and the Authority is currently conducting a subsequent scoping process as the project has changed significantly since then (i.e., it is being evaluated now as a blended system along the Caltrain corridor).

SAN FRANCISCO TO SAN JOSE PROJECT SECTION



LEGEND



TIMELINE OF ACTIVITIES

2009	2010	2011	2016	2017
<p>Notice of Intent/Notice of Preparation (NOI/ NOP) for a fourtrack project</p> <p>Scoping meetings held in San Francisco, San Mateo and Santa Clara counties</p>	<p>Preliminary Alternatives Analysis</p>	<p>Supplemental Alternatives Analysis</p>	<p>Scoping meetings held in San Francisco, San Mateo and Mountain View for blended project</p> <p>Identification of an Preliminary Preferred Alternative</p>	<p>Draft Environmental Document</p> <p>Public Hearing</p> <p>Final Environmental Document</p>
<p>◀◀ PUBLIC INVOLVEMENT ▶▶</p>				



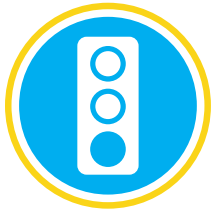
CURRENT PROGRAM STATUS

Phase 1 of the high-speed rail system will provide fast, safe and reliable connections between counties and cities from the Bay Area to Los Angeles/Anaheim. Phase 2 will add further connections to Sacramento and San Diego.

Four major activities are underway now:

1. Construction of the backbone of the high-speed rail system in the Central Valley.
2. Planning and/or environmental clearance of the remainder of the Phase 1 System.
3. Planning for the Phase 2 System.
4. Implementation of a statewide rail modernization plan, in partnership with local stakeholders, that invests billions of dollars in local and regional rail lines right now.

HIGH-SPEED RAIL WILL BETTER CONNECT THE STATE AND IMPROVE OUR REGIONS IN THE FOLLOWING WAYS:



Increase Mobility

Improve mobility in the face of growth – with the state's population estimated to reach 50 million by 2050.



Needed Alternative

Provide a more convenient and productive way to travel and new opportunities to collaborate on business.



Better Air Quality

Improve air quality – by shifting people from cars and planes to clean trains.



Job Growth

Stimulate job growth across the state – now with construction and long-term with maintenance and operations.

ABOUT THE HIGH-SPEED RAIL AUTHORITY

The California High-Speed Rail Authority is responsible for planning, designing, building and operating the first high-speed rail system in the nation. California high-speed rail will connect the mega-regions of the state, contribute to economic development and a cleaner environment, create jobs and preserve agricultural and protected lands. By 2029, the system will run from San Francisco to the Los Angeles basin in under three hours at speeds capable of over 200 miles per hour. The system will eventually extend to Sacramento and San Diego, totaling 800 miles with up to 24 stations. In addition, the Authority is working with regional partners to implement a state-wide rail modernization plan that will invest billions of dollars in local and regional rail lines to meet the state's 21st century transportation needs.



@cahsra



facebook.com/
CaliforniaHighSpeedRail



@cahsra



youtube.com/
CAHighSpeedRail



Public Participation Survey

The following information is being collected by the California High-Speed Rail Authority (Authority) in order to comply with Title VI of the Civil Rights Act of 1964, *Nondiscrimination in Federally Assisted Programs*. Please take a few moments to complete the following questions. The data you provide will enable the Authority to identify residents and communities impacted by the Authority's projects or activities. Please check the appropriate boxes with an "X" that best describes you and return the completed survey to the event coordinator. Completion of this information is *voluntary*. Thank you.

Today's Date:

Event Name: San Francisco to San Jose Project Section Scoping Meeting – May 2016

Sex: ☐ Male ☐ Female

Ethnicity: ☐ Hispanic or Latino ☐ Not Hispanic or Latino

Race

☐ American Indian or Alaska Native ☐ Asian
☐ Black or African American ☐ White
☐ Native Hawaiian or Other Pacific Islander ☐ Other _____

Disability: ☐ Yes ☐ No

Age: ☐ Under 40 ☐ Over 40

Income

☐ \$23,050 or less
☐ Over \$23,051

Language

What language is primarily spoken in your household? _____

How many people in household? _____

ADA Notice: For individuals with sensory disabilities, this document is available in alternate formats. For information, call (916) 324-1541 or TTY (916) 403-6943 or write Title VI Coordinator, 770 L Street, Suite 1160, Sacramento, CA 95814 or TitleVICoordinator@hsr.ca.gov

Public Participation Survey (Cont.)

Categories and Definitions

The minimum categories for data on race and ethnicity for federal statistics, program administrative reporting, and civil rights compliance reporting are defined as follows:

- a. **American Indian or Alaska Native** – a person having origins in any of the original peoples of North and South American (including Central America), and who maintains tribal affiliation or community attachment.
- b. **Asian** – a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
- c. **Black or African American** – a person having origins in any of the black racial groups of Africa.
- d. **Hispanic or Latino** – a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.
- e. **Native Hawaiian or Other Pacific Islander** – a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- f. **White** – a person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

- 42 U.S.C., §2000d



ARE YOUR RIGHTS BEING VIOLATED?

If you believe the Authority has discriminated against you because of your race, color, national origin, sex, age, disability or low-income status, you may file a complaint with the Authority within 180 days of the alleged act of discrimination. Provide as much detail as possible, sign the complaint and mail it to:

California High-Speed Rail Authority

Attn: Title VI Coordinator

770 L Street, Suite 1160

Sacramento, CA 95814

Phone: (916) 324-1541

Fax: (916) 322-0827

Email: TitleVICoordinator@hsr.ca.gov

The Authority strives to complete the investigation within 180 days of receipt of the complaint.

This brochure is available in alternative formats upon request.

For alternative formats, call (916) 324-1541 or TTY: (916) 403-6943.



CALIFORNIA
High-Speed Rail Authority

What is Title VI?

www.hsr.ca.gov



H.3-8

WHAT IS TITLE VI?

Title VI is the portion of the Civil Rights Act of 1964 requiring nondiscrimination in federally assisted projects.

“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” (42 U.S.C., §2000d)

Additionally, Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 1994 provides:

“Each recipient of Federal funds shall make achieving environmental justice part of its mission by identifying and addressing as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.”

Related statutes provide protection against discrimination on the basis of sex, age or disability.

WHAT DOES THIS MEAN?

The Authority strives to ensure that access to and use of programs, services or benefits derived from any Authority activity will be administered without regard to race, color, national origin, sex, age, disability or low-income status.

The Authority prohibits all discriminatory practices, which include but are not limited to:

- Denial to any individual of any service, participation or benefit provided under the program to which he or she may be otherwise entitled;
- Different standards or requirements of participation;
- Separate treatment in any part of the program;
- Differences in quality, quantity or manner in which the benefit is provided;
- Discrimination in any activities conducted in a facility built in whole or part with Federal funds.

To ensure compliance with Title VI, related statutes and the Presidential Executive Order on Environmental Justice, the Authority will:

- Avoid or reduce harmful human health and environmental effects on minority and low-income populations;
- Ensure the full and fair participation by all communities including low-income and minority populations in the high-speed rail system decision-making process;
- Prevent the denial of, reduction in or significant delay in the receipt of benefits by minority and low-income populations.

Title VI requirements on nondiscrimination apply to Authority employees, contractors, consultants and other partners who receive Federal financial assistance from the Authority.

BENEFITS AND SERVICES

The Authority’s mission is to provide the people of California with a safe, efficient and effective high-speed rail system. The work the Authority performs is intended to assist the transportation needs of all the people of California regardless of race, color, national origin, sex, age, disability or low-income status.



Scoping Meeting Schedule

TIME	SCHEDULE
5:00 p.m.	Information Stations <ul style="list-style-type: none">• High-Speed Rail Statewide Overview• San Francisco to San Jose Project Section• San Francisco to San Jose Station Planning• Environmental Review Process• Caltrain Modernization Program• Right-of-Way and Permission to Enter• Comment Station
6:00 p.m.	Presentation
6:30 p.m.	Public Comment <p>Attendees will be provided two minutes (2) each to provide public comment. All oral comments will be transcribed and become part of the public record.</p>
8:00 p.m.	Adjourn

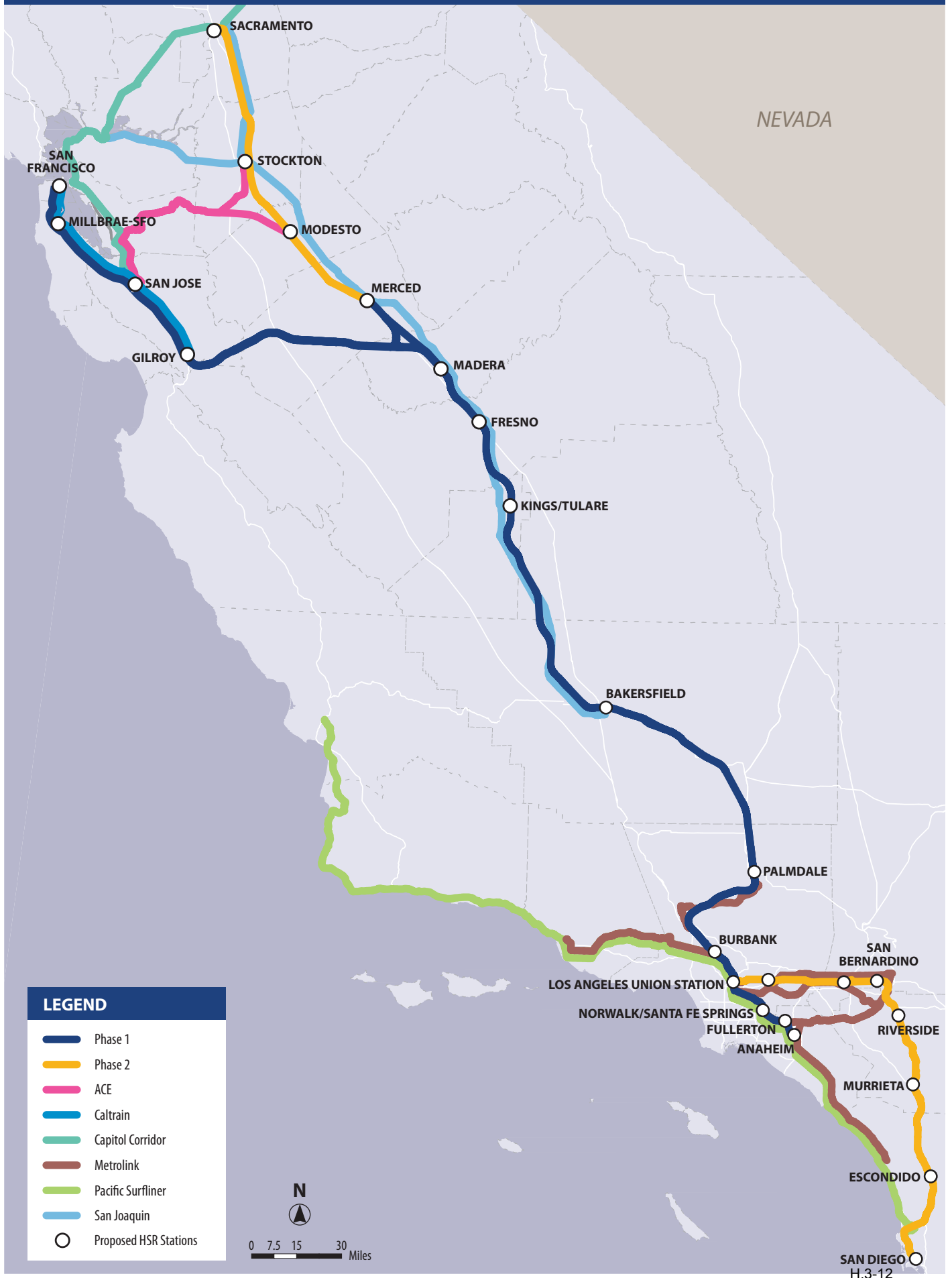
Meeting facilities are accessible for persons with disabilities. For additional information or assistance, please call (800) 435-8670 or email san.francisco_san.jose@hsr.ca.gov.

CALIFORNIA HIGH-SPEED RAIL
STATEWIDE SYSTEM

Proposed Statewide Alignment

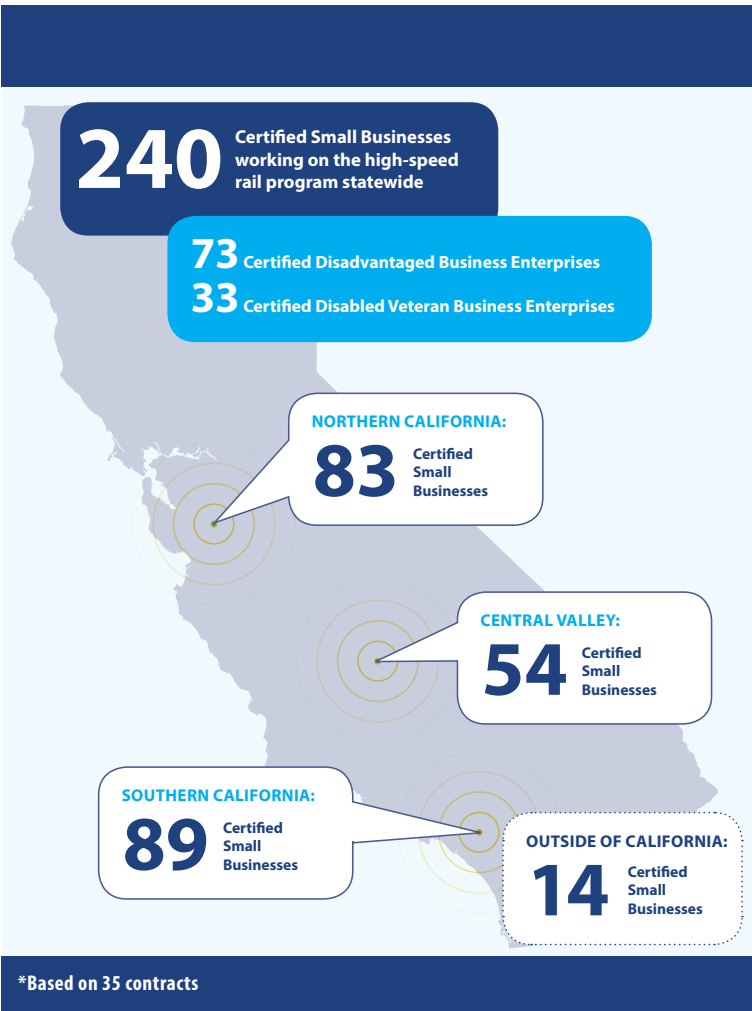


STATEWIDE RAIL MODERNIZATION





The California High-Speed Rail Authority (Authority) is committed to ensuring that certified small businesses play a major role in building the statewide high-speed rail system. The Small Business Program has an aggressive 30 percent small business participation goal which plays a major role in the construction of high-speed rail and is creating local jobs and economic activity for the small business community.



SMALL BUSINESS PROGRAM

An aggressive Small Business Program allows certified Small Businesses (SB), Disabled Veteran Business Enterprises (DVBE), Disadvantaged Business Enterprises (DBE), Microbusinesses (MB), and Minority and Women-Owned firms a chance to take part in this historic program. In 2012, the Authority’s Board of Directors approved the Small Business Program which has a 30 percent small business participation goal for all contracts lead by the Authority.

The 30 percent goal includes:

- ➔ 10 percent DBE participation goal.
- ➔ 3 percent DVBE participation goal.

SMALL BUSINESS CERTIFICATION WORKSHOPS

California small businesses are getting help from the Authority as they prepare to participate in the Small Business Program. The Authority has held more than 15 certification workshops statewide designed to provide small businesses with hands-on technical assistance and on-the-spot certification assistance. Through these workshops, the Authority has assisted hundreds of small businesses with their certifications, and more workshops are being scheduled. While the Authority is not a small business certifying agency, the Authority recognizes the small business certifications from the California Department of General Services, the California Unified Certification Program, and the U.S. Small Business Administration 8(a) Program.

PRE-BID CONFERENCES & INDUSTRY FORUMS

To make sure that small businesses are provided an opportunity to network and serve as subcontractors on the Authority's major contracts, the Authority hosts industry forums and/or pre-bid conferences for businesses interested in working on the high-speed rail program. These events provide small businesses with an opportunity to meet with prime firms and network with other businesses and Authority staff.

SMALL BUSINESS NEWSLETTER

In an effort to keep the small business community apprised of the latest news and contract opportunities on the high-speed rail program, the Authority issues a quarterly small business newsletter. Implemented in 2013, the newsletter readership base has grown into the thousands, and provides the most valuable resource tools for potential bidders to stay current on what is going on at the Authority.

PARTNERSHIPS WITH SMALL BUSINESS ADVOCATES

In the last two years, the Authority has reached out to partner with several existing small business organizations to ensure that public awareness of small business opportunities on the project are being created. The Authority has partnered with the following organizations:

Cooperative Agreements

- ➔ California Department of Veterans Affairs
- ➔ Economic Development Corporation Serving Fresno County
- ➔ United States Small Business Administration
- ➔ California Department of General Services

Memorandum of Understanding (MOU)

- ➔ Minority Business Development Agency, U.S. Department of Commerce
- ➔ Women Construction Owners & Executives, U.S.A.
- ➔ Valley Small Business Development Corporation

THE BUSINESS ADVISORY COUNCIL

The Business Advisory Council (BAC) was created by the Authority's Board of Directors in 2012 to help eliminate barriers for small businesses and increase their participation in the program. The BAC assists the Authority with implementing practices that affect and/or impact the small business community. BAC members represent construction, professional services and trade associations from around California. To learn more about the BAC visit http://www.hsr.ca.gov/Programs/Small_Business/business_advisory_council

Small Business Facts

• According to the Governor's Office of Business & Economic Development, California's 3.4 million small businesses account for 99% of the state's employers and employ 52% of the workforce.



"Being awarded the demolition contract for the first 29-miles of high-speed rail has given us an opportunity to expand and grow. We just moved into a larger office in Clovis and hired a project manager."

-Jill Kroeker

Owner of J. Kroeker, Inc.

CONTACT INFORMATION

Small Business Program California High-Speed Rail Authority

770 L Street, Suite 1160

Sacramento, CA 95814

Main: (916) 324-1541

Direct: (916) 431-2930

Email: sbprogram@hsr.ca.gov



Good for the State, Good for the Environment

The California High-Speed Rail Authority (Authority) is responsible for planning, designing, building and operation of the first high-speed rail system in the nation. California high-speed rail will connect the mega-regions of the state, contribute to economic development and a cleaner environment, create jobs and preserve agricultural and protected lands. By 2029, the system will run from San Francisco to the Los Angeles basin in under three hours at speeds capable of over 200 miles per hour. The system will eventually extend to Sacramento and San Diego, totaling 800 miles with up to 24 stations. In addition, the Authority is overseeing the implementation of a statewide rail modernization plan that will invest billions of dollars in local and regional rail lines to meet the state's 21st century transportation needs.

CALIFORNIA'S CURRENT TRANSPORTATION NEEDS

California is the third-largest state in the nation at over 160,000 square miles. As early as 1909, state leaders realized the need to develop major infrastructure projects to connect the different areas of the state together. Always at the forefront of the nation, California's freeway system was started in 1947, a full decade before the federal government established the National Defense and Interstate System. Ultimately, California's auto transportation network took over a half century to build and currently has more than 50,000 miles of freeways and highways.

In addition to roads, highways, and bridges, there are over 100 airports and thousands of miles of conventional rail systems across the state. These early crucial investments in infrastructure connected the various regions of the state and served as the foundation for the economic growth and prosperity that continues today.

However, the Golden State's transportation systems are aging and cannot keep up with the demands of a growing population that is expected to hit 50 million by 2050. Currently, strain on the state's existing roads,



"This project will serve in the near term as the backbone of a more sustainable growth strategy in the San Joaquin Valley, and over time will provide a climate-friendly transportation option linking southern and northern California."

**- Mary Nichols,
Chair
Air Resources Board**

airports and railways has resulted in increased congestion, reduced air quality, increased travel times and wasted gas. To keep up with population and usage trends, California would need to invest over \$150 billion to build 4,300 new-lanes miles of highway, 115 additional gates at California airports and 4 new airport runways. Alternatively, a high-speed rail system will cost less to construct, take the pressure off the current infrastructure system, reduce the state's dependency on fossil fuels, and result in better air quality and community health in California.

REDUCTION IN CARS ON THE ROAD AND PLANES IN THE AIR

According to the Texas Transportation Institute's *2012 Annual Urban Mobility Report*, congestion on roads and highways in California's urban areas resulted in over \$19 billion in economic activity lost in 2011 alone. In addition, the flight between Los Angeles to San Francisco is the busiest short-haul market in the country, with hundreds of daily flights and five million annual passengers. Compared to long-distance flights, these short-haul flights have a very small profit margin for airports and airlines. The high-speed rail system will take cars off the road and reduce daily flights, thus boosting California's economic productivity as more travelers and commuters take the train to get around the state.

Reduction in Vehicle Miles Traveled

- By 2040, the system will reduce vehicles miles of travel in the state by almost 10 million miles of travel every day.
- Over a 58 year period (from the start of operations in 2022 through 2080), the system will reduce auto travel on the state's highways and roads by over 400 billion miles of travel.

Daily Number of Flights Diverted

- Starting in 2030, the state will see a reduction of 93 to 171 flights daily.
- By 2040, the state will see a reduction of 97 to 180 flights daily.

REDUCTIONS IN ENERGY/FOSSIL FUEL USE

The Authority has committed to using 100 percent renewable energy for powering the system. This will be achieved by procuring or producing enough renewable energy to offset the amount of energy it takes from the state's power grid to operate trains and facilities.

This net-zero approach will increase the environmental benefits of the rail system and reinforce California's renewable energy economy while providing the Authority with a cost-stable source of electricity.

Finally, the high-speed rail system will save 2.0 to 3.2 million barrels of oil annually starting in 2030.

GREENHOUSE GAS (GHG) EMISSIONS REDUCTIONS

According to the U.S. Environmental Protection Agency, greenhouse gases (GHG) are gases that trap heat in the atmosphere. In 2010 alone, U.S. GHG emissions totaled 6,821.8 million metric tons of carbon dioxide (CO₂). California leads the nation in working to reduce the level of GHG emissions. In 2006, the State Legislature passed Assembly Bill 32, also known as the Global Warming Solutions Act, that directs the state to reduce statewide emissions to 1990 levels by 2020, a 17 percent reduction.

- In 2022, when the Initial Operating Section (Merced to the San Fernando Valley) is up and running, the resulting GHG reductions will be between 141,000 to 330,000 metric tons of carbon dioxide (MtCO₂) in the first year, the equivalent of taking 31,000 passenger vehicles off the road.
- Between 2022 and 2040, the cumulative reduction of CO₂ is estimated to be between 5 and 10 million metric tons.

"You can pave farm-lands with new roads and black out skies with airplanes but the air we breathe will be no better than a tailpipe. This project brings an infusion of energy into rural areas of high unemployment and provides relief for urban traffic gridlock. Most importantly, it's an investment in California's future."

**- Darrell Steinberg,
Senate Pro-Tem**

High-Speed Rail Fact

- *High-Speed Rail will eliminate over 12 billion pounds of the greenhouse gas emissions that cause global warming every year. That's the equivalent from removing one million cars from roads annually.*



California's high-speed rail program will do more than provide an efficient, economical, environmentally-friendly and safe way to travel around the state. Building and operating the high-speed rail system will directly employ thousands of Californians while indirectly providing more job opportunities throughout the larger economy.

CONSTRUCTION JOBS NOW

Construction on the high-speed rail initial operating section (IOS) started in 2014, and is putting Californians to work, especially in the Central Valley. This area of the state recently faced challenges to economic recovery, including an unemployment rate in the construction industry of over 30 percent. High-speed rail construction will create 20,000 construction jobs annually for the next five years. These jobs will go to the people who need them most, providing a significant boost California's economy as a whole.

First Leg of Initial Operating Section	20,000 Jobs Annually for 5 Years
Bay to Basin	62,000 Jobs Annually for 13 Years

TREMENDOUS OPPORTUNITIES AS SYSTEM EXPANDS

As high-speed rail continues to expand service from the Bay Area to the Los Angeles area, it will generate an additional estimated 67,000 jobs annually for 15 years. Expansion will continue to create jobs in the construction industry, but will also promote growth in several other sectors of the economy.

Permanent public and private sector employees will be responsible for operating and maintaining the high-speed rail system. From train operators and maintenance yard workers to station managers and operations planners, high-speed rail will create permanent California jobs that will always remain in the state.



Martinez Steel

Martinez Steel is a certified Hispanic Owned Micro-Business (MB) and certified Disadvantaged Business Enterprise (DBE) based in Fontana owned by husband and wife, Joe and Debbie Martinez. Their company has been contracted to provide rebar for Construction Package 1. They currently employ 40 to 50 people and will be adding more as the program progresses.



The IOS, once fully operational, will directly create an estimated 1,450 jobs. Most employees will work aboard the trains and at stations, while many others will be located at the heavy maintenance facility currently planned for the Central Valley. The full Phase 1 system will directly employ an estimated total of 3,400 people.

INDIRECT JOB CREATION

The high-speed rail system will provide greatly improved connectivity between California's major economic regions while reducing congestion in ports, on freight lines and along our highway system. As a result, the Golden State's economy will become more efficient and competitive as goods move more freely and less time is wasted in cars and at airports. The increased economic activity associated with the development and implementation of the high-speed rail system could indirectly generate up to an additional 400,000 long-term, permanent jobs statewide.

CREATING JOB OPPORTUNITIES FOR DISADVANTAGED WORKERS

The Authority has taken steps to ensure that the jobs created by the high-speed rail program will benefit disadvantaged populations through its Community Benefits Agreement. This agreement, along with ensuring 30 percent small business participation in the program, also contains a Targeted Worker Program. This program ensures that 30 percent of all project work hours are performed by National Targeted Workers and at least 10 percent of those work hours shall be performed by Disadvantaged Workers.

A Targeted Worker is an individual whose primary place of residence is within an Economically Disadvantaged Area or an Extremely Economically Disadvantaged Area in the United States, or a Disadvantaged Worker.

A Disadvantaged Worker is an individual who, prior to commencing work on the high-speed rail project, meets the income requirements of a Targeted Worker and faces at least one of the following barriers to employment:

- ➔ Being a veteran;
- ➔ Being a custodial single parent;
- ➔ Receiving public assistance;
- ➔ Lacking a GED or high school diploma;
- ➔ Having a criminal record or other involvement with the criminal justice system;
- ➔ Suffering from chronic unemployment;
- ➔ Emancipated from the foster care system;
- ➔ Being homeless; or
- ➔ Being an apprentice with less than 15 percent of the required graduating apprenticeship hours in a program.

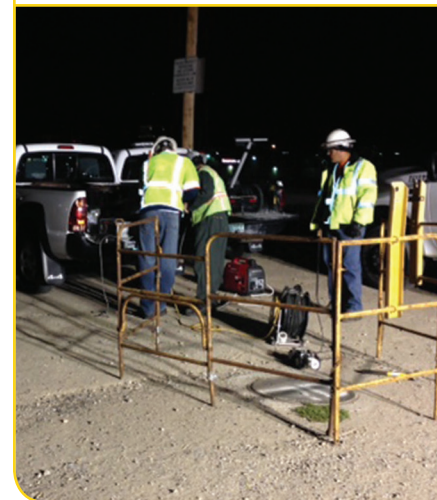
Are you looking for a job in the construction industry? The Fresno Workforce Investment Board is helping to connect people with pre-apprenticeship programs where you can learn about a number of construction crafts and get connected with labor and trade organizations in the Central Valley and around the state. Visit their website at www.hsrjobs.com.

If you are interested in a career with the California High-Speed Rail Authority, visit our Human Resources webpage at <http://www.hsr.ca.gov/About/Careers/index.html>.



Valverde Construction, Inc

Valverde Construction is a certified Hispanic Owned Small Business based in Santa Fe Springs in Los Angeles County contracted to perform utility relocation and geo-technical work within the Construction Package 1 area. A family business, Mr. Valverde's two sons are leading the Fresno operations for high-speed rail.



Community Benefits Agreement

Putting Californians to Work

The California High-Speed Rail Authority (Authority) Community Benefits Agreement (CBA) is designed to assist small businesses and job seekers in finding or obtaining construction contracts, jobs and training opportunities for residents who live in economically disadvantaged areas along the high-speed rail alignment. The CBA supports employment of individuals who reside in Disadvantaged Areas and those designated as Disadvantaged Workers, including veterans. It also helps remove potential barriers to Small Businesses (SB), Disadvantaged Business Enterprises (DBE), Disabled Veteran Business Enterprises (DVBE), Women-Owned Businesses and Microbusinesses that want to participate in building the high-speed rail system.

WHAT IS THE COMMUNITY BENEFITS AGREEMENT?

The CBA is a cooperative partnership and commitment between the Authority, skilled craft unions and contractors. It is based on the Community Benefit Policy (Policy), which promotes employment and business opportunities during the construction of the high-speed rail project. The Policy was approved by the Authority's Board of Directors and signed by the Authority's Chief Executive Officer in December 2012.

WORKING UNDER THE COMMUNITY BENEFITS AGREEMENT

The CBA promotes and advances training opportunities for all individuals. Priority is given to Targeted Workers and individuals designated as Disadvantaged Workers.

The intent of the CBA is to ensure that efforts are made by all parties toward achieving:

- Identification and retention of a skilled workforce;
- 30 percent National Targeted Worker hiring goal, of which 10 percent of these hours are to be performed by disadvantaged workers;
- Expeditious dispute resolution processes, thereby helping to ensure that the project is delivered on time;
- A single set of work rules and standards;
- A proactive peaceful resolution to all disputes;
- Timely, safe and economical execution of construction projects.

Jobs for California

The Authority is committed to building a high-speed rail system that keeps jobs in California and the regions where the system is being constructed. Local residents have an opportunity to participate in job training and apprentice programs that will prepare them for working on high-speed rail and other construction projects. They can also get jobs with the growing number of small businesses that are working on high-speed rail.



Crafts and trades that will be utilized on the high-speed rail system include:

- ✓ Carpenters
- ✓ Electricians
- ✓ Irrigation Workers
- ✓ Laborers
- ✓ Landscapers
- ✓ Masonry Workers
- ✓ Steel Workers
- ✓ Inspectors
- ✓ Welders
- ✓ Operating Engineers
- ✓ Painters
- ✓ Plumbers
- ✓ Signage
- ✓ Sheet Metal
- ✓ Iron Workers
- ✓ Teamsters
- ✓ Field Soils Material Testers

WORKING UNDER THE COMMUNITY BENEFITS AGREEMENT

The CBA functions as a pre-hire collective bargaining agreement that covers employees once they sign on to work on high-speed rail projects. It establishes terms and conditions of employment and provides guarantees against work stoppages, strikes and lockouts due to labor disputes and grievances. The agreement also assures taxpayers that the high-speed rail project will be finished in a timely and economical manner. All design-build contractors working on the high-speed rail program must agree to the CBA and designate a jobs coordinator who will be responsible for the implementation of the National Targeted Hiring Program.

The CBA permits all qualified contractors and subcontractors to bid for and be awarded work on the Authority's construction contracts without regard to whether they are otherwise parties to collective bargaining agreements. Similarly, workers are not required to join a union organization to be hired or dispatched for work on the Authority's construction contracts.

Contractors can utilize their own employees as long as they are part of their "core employee" workforce. Those are employees who appeared on the affected contractor's active payroll records for 60 out of 100 days prior to the award of the contract. The CBA allows contractors to use up to five core employees under the one-to-one craft ratio.

For example: if a contractor needs seven plumbers to perform on the project, the one-to-one ratio would dictate the following dispatch procedures for the workers:

- **Plumber 1:** Core Employee 1
- **Plumber 2:** Union Hiring Hall Worker 1
- **Plumber 3:** Core Employee 2
- **Plumber 4:** Union Hiring Hall Worker 2
- **Plumber 5:** Core Employee 3
- **Plumber 6:** Union Hiring Hall Worker 3
- **Plumber 7:** Core Employee 4

Once five core employees have been utilized, the contractor must hire all additional workers from the union hiring hall. It is important to note, however, that the one-to-one ratio is applicable by craft. For example, should a general contractor perform plumbing, sheet metal work, and electrical work, the contractor would be able to utilize five core employees per craft/trade.

CONSTRUCTION JOBS NOW

High-speed rail is putting Californians to work. Construction started on the Initial Operating Section (IOS) in 2014 in the Central Valley, an area of the state that's struggling to recover from the national recession of 2013. The construction industry was particularly hard hit and continues to deal with a high unemployment rate. High-speed rail is estimated to create 20,000 construction jobs annually for the next five years in the Central Valley alone. These jobs will go to the people who need them most, providing a significant boost California's economy as a whole.



CREATING JOB OPPORTUNITIES FOR DISADVANTAGED WORKERS

The Authority has taken steps to ensure that the jobs created by the high-speed rail program will benefit disadvantaged populations with the implementation of the CBA. This agreement contains a Targeted Worker Program. It ensures that 30 percent of all project work hours are performed by National Targeted Workers and at least 10 percent of those work hours shall be performed by Disadvantaged Workers.

A Targeted Worker: An individual whose primary place of residence is within an Economically Disadvantaged Area or an Extremely Economically Disadvantaged Area in the United States.

A Disadvantaged Worker: An individual who prior to commencing work on the high-speed rail project meets the income requirements of a Targeted Worker and faces at least one of the following barriers to employment:

- Being a veteran;
- Being a custodial single parent;
- Receiving public assistance;
- Lacking a GED or high school diploma;
- Having a criminal record or other involvement with the criminal justice system;
- Suffering from chronic unemployment;
- Emancipated from the foster care system;
- Being homeless; or
- Being an apprentice with less than 15 percent of the required graduating apprenticeship hours in a program.

PRE-APPRENTICESHIP PROGRAM TRAINS FUTURE WORKFORCE

Since June 2014, 81 people have completed the seven-week training session of the Building Trades Pre-Apprenticeship Training Program, they received training in a variety of construction trades. Many participants became apprentices and joined unions for electrical workers, carpenters, laborers and the Teamsters. 64 have obtained jobs. The purpose of the training program ensures that Central Valley job-seekers are qualified and prepared to work on construction projects including high-speed rail.

SMALL BUSINESS PROGRAM

The Authority's Small Business Program seeks to ensure all Small Businesses, Disadvantaged Business Enterprise (DBE) - which includes Women-Owned Businesses - Disabled Veteran Business Enterprises (DVBE) and Microbusinesses are given every opportunity to participate in this historic infrastructure project. The Authority has established an aggressive 30 percent goal for small business participation which includes goals of 10 percent for DBEs and 3 percent for DVBEs.



ARE YOU LOOKING FOR A JOB IN THE CONSTRUCTION INDUSTRY?

The Fresno Workforce Investment Board (WIB) is helping to connect people with pre-apprenticeship programs where they can learn about a number of construction crafts. They can also get potential workers connected with labor and trade organizations in the Central Valley and around the state. Visit the Fresno WIB website at www.hsrjobs.com.

If you are interested in a career with the California High-Speed Rail Authority, visit our Human Resources webpage at

<http://www.hsr.ca.gov/About/Careers/index.html>.



Participants of the pre-apprenticeship program learn skills that will qualify them to be apprentices and journeymen in the construction industry.

COMMUNITY BENEFITS AGREEMENT FREQUENTLY ASKED QUESTIONS (FAQs)

Must I join a union to participate in the high-speed rail program?

Under the CBA, all qualified contractors and subcontractors can bid for and win contracts to work on high-speed rail without regard to whether they are parties to collective bargaining agreements. Similarly, workers are not required to join a union organization to be hired or dispatched for work on the Authority's construction contracts.

I work in construction but I've never gone through a formal training program.

Can I be hired?

There are numerous ways to access job opportunities information on the Authority's projects. The Fresno Regional Workforce Investment Board (WIB) is offering pre-apprenticeship and journeyman update classes. For more information about the training program, visit the Fresno Regional WIB website at www.hsrjobs.com.

You can contact the local Building Trades Union for additional information regarding their training program and entrance opportunities.

You can also contact the Authority's Central California Regional Office in Fresno at (559) 445-5157 or email the Authority at central.valley@hsr.ca.gov.

Where can I obtain a copy of the CBA?

To download a copy of the community Benefits Agreement, visit the Authority's website at www.hsr.ca.gov/Programs/Construction/community_benefits_agreement.html.

Who do I contact for more information regarding the high-speed rail program?

For more information, please contact:

California High-Speed Rail Authority
770 L Street, Suite 800
Sacramento, CA 95814
(916) 324-1541
info@hsr.ca.gov

You can also email the Authority at central.valley@hsr.ca.gov or visit the Authority's website at www.hsr.ca.gov.



Graduates of a pre-apprenticeship program proudly display their completion certificates.



High-Speed Rail Safety Program

The California High-Speed Rail Authority will create a 21st-century transportation system that will implement the most advanced and innovative safety technology available today. Below are just a few examples of how a ride on the California high-speed rail system will be among the safest train rides in the world.

Positive Train Control (PTC)

Positive Train Control (PTC) is state-of-the art collision avoidance technology that allows trains, tracks and dispatch centers to actively communicate using a fiber-optic network.

Through PTC, train engineers receive continuous information about speed restrictions, work zones and other safety impacts. For example, the PTC system would alert an engineer approaching a crossing where the crossing arms are malfunctioning.

With PTC, a train's onboard computer displays safe-breaking distance based on speed, train length, weight and track curvature.

PTC also restricts speed limits and serves as a failsafe system. If the engineer doesn't respond, the PTC system takes over, thus preventing a train from running a red signal light or entering a stretch of track at an unsafe speed.

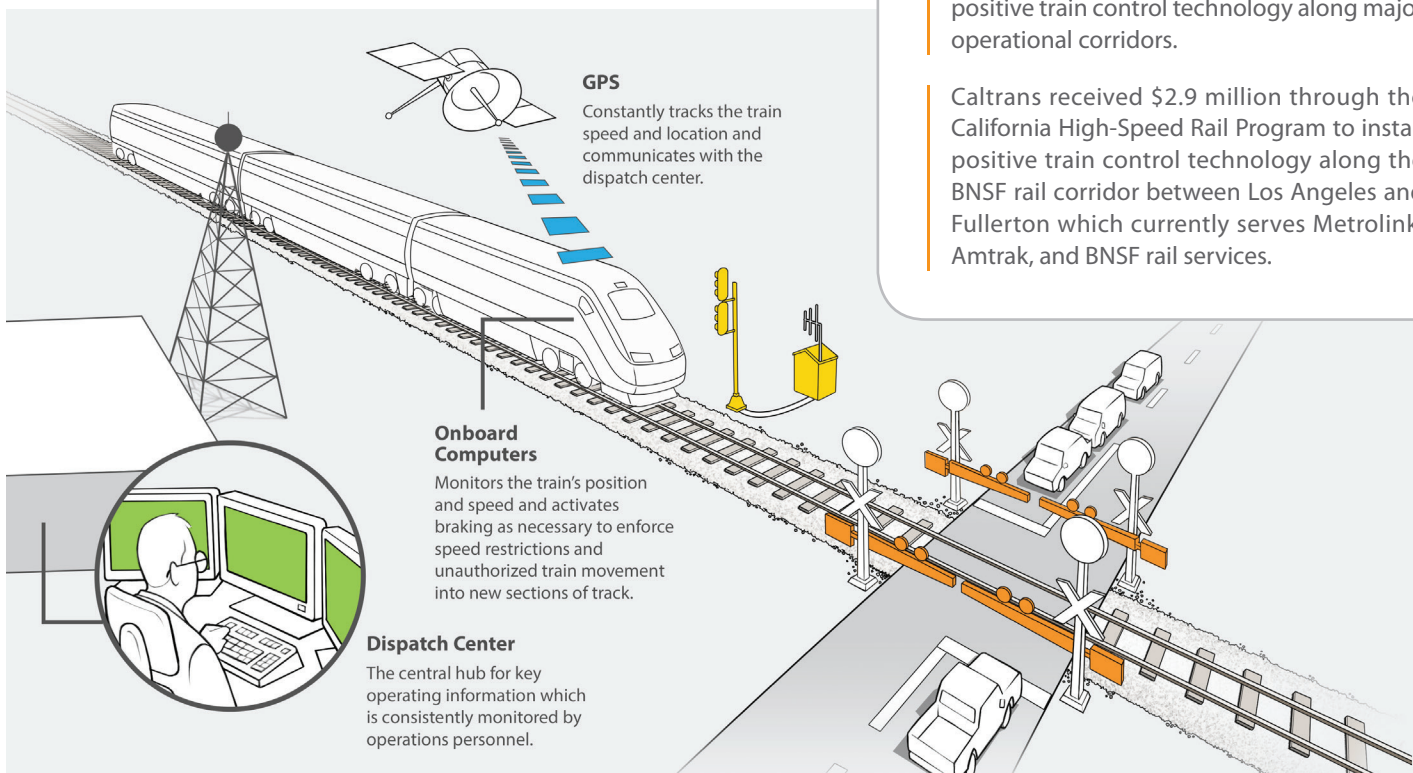
Quick Facts: How California High-Speed Rail is supporting PTC statewide

Metrolink, Southern California's 512-mile regional passenger rail network received \$81.5 million through the California High-Speed Rail Program, helping it become the first railroad in the nation to have its entire system in service with positive train control technology.

Caltrain, Northern California's main passenger rail service along the Bay Area peninsula, received \$105.4 million through the California High-Speed Rail Program to install positive train control technology along the operations corridor.

North County Transit District in San Diego County received \$41.8 million through the California High-Speed Rail Program to install positive train control technology along major operational corridors.

Caltrans received \$2.9 million through the California High-Speed Rail Program to install positive train control technology along the BNSF rail corridor between Los Angeles and Fullerton which currently serves Metrolink, Amtrak, and BNSF rail services.



Early Earthquake Warning

California has numerous active faults throughout the state that are known to produce large earthquakes.

To ensure that the high-speed rail system can operate safely in such a seismically-active area, the Authority will implement a comprehensive seismic safety program, including earthquake early-warning and appropriate operational responses.

The infrastructure that will support the high-speed rail program – such as bridges, tunnels, high-speed rail stations, and other facilities – will be built to meet all⁽¹⁾ state standards for earthquake design in California.

The Authority is adopting an Early Earthquake Detection System (EEDS) that will be designed to detect the initial wave produced by a seismic event, and immediately cut off power to trains in operation at the time of the earthquake. This process will allow for the inspection of tracks, bridges, and signals before resuming service.

The Authority is also partnering with first responders across the state to create a response plan that will provide appropriate assistance to all passengers and operators on high-speed rail during a seismic event.

Grade Separation

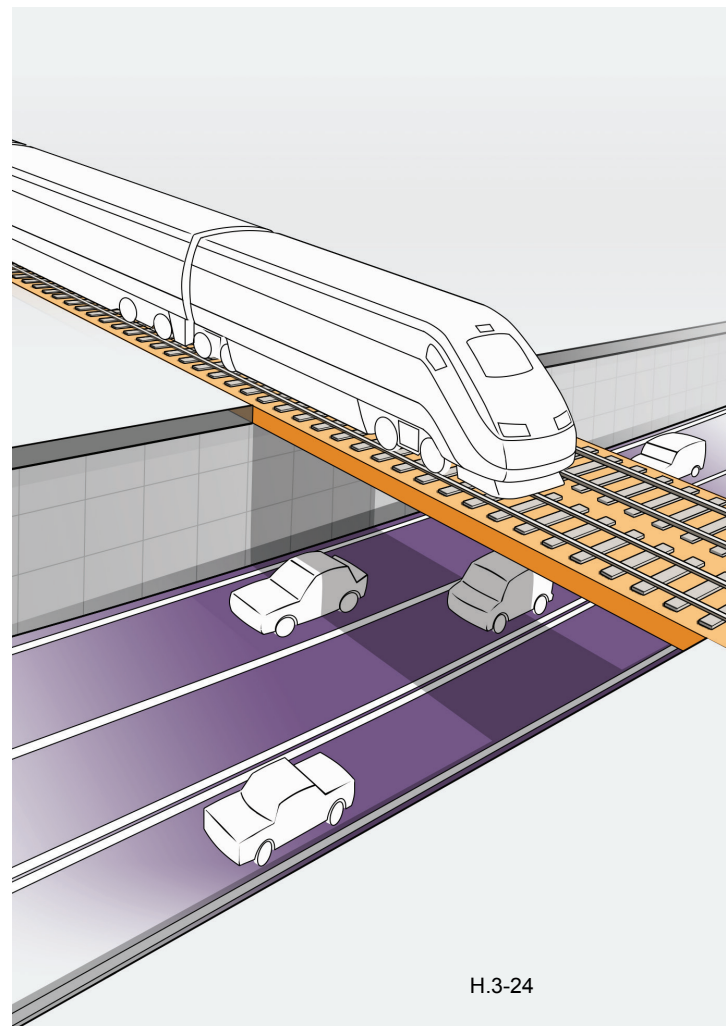
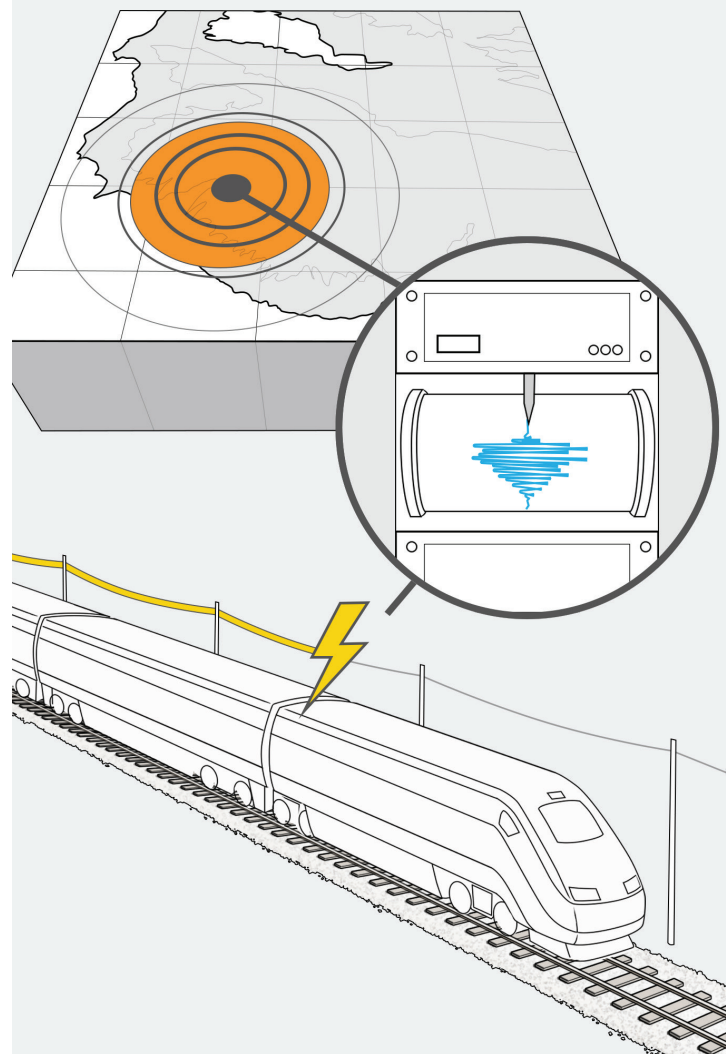
A grade separation is a roadway that is re-aligned over or under a railway to eliminate hazards. Benefits of grade separations include:

- Improved safety
- Reduced noise (no train horns)
- Decrease in traffic congestion
- Reduction in GHG emissions from idling vehicles
- Improved train operations reliability

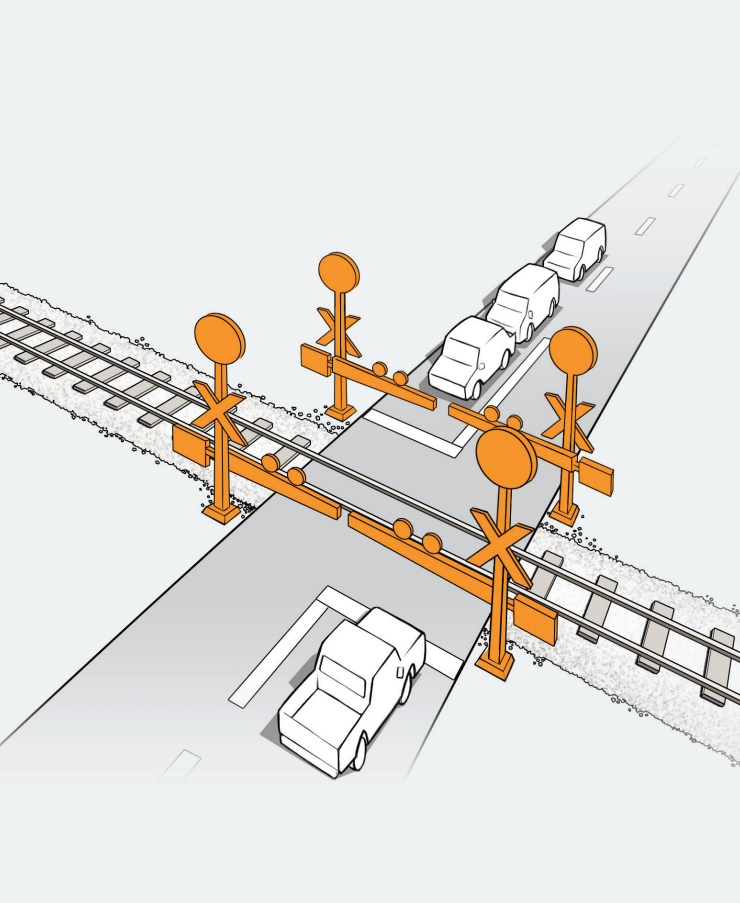
In the Central Valley, where trains will be capable of running at speeds in excess of 200 miles per hour, the high-speed rail system is being built fully grade separated. As part of this effort, 55 existing grade crossings with existing freight service will be eliminated. Within the first three construction packages, stretching approximately 119 miles from Madera to north of Bakersfield, there will be 39 BNSF Railway at-grade crossings eliminated and 16 existing Union Pacific Railroad crossings eliminated. This will result in major improvements to both urban and rural areas in the Central Valley.

In Northern California, as part of the environmental work being done to identify the final high-speed rail alignment from San Francisco to San Jose, the Authority is working with communities to accommodate a blended system with Caltrain. This blended system is currently being evaluated for traffic, safety, and noise impacts at existing at-grade crossings.

In Southern California, key early grade separation projects will include State College, Doran Street and Rosecrans Avenue/Marquardt Avenue grade crossings. In addition to these critical efforts, the Authority is also partnering



⁽¹⁾ Caltrans Seismic Design Criteria Version 1.7 (2013); American Railway Engineering and Maintenance-of-Way Association Manual, Ch. 9, seismic design for railway structures (2015)

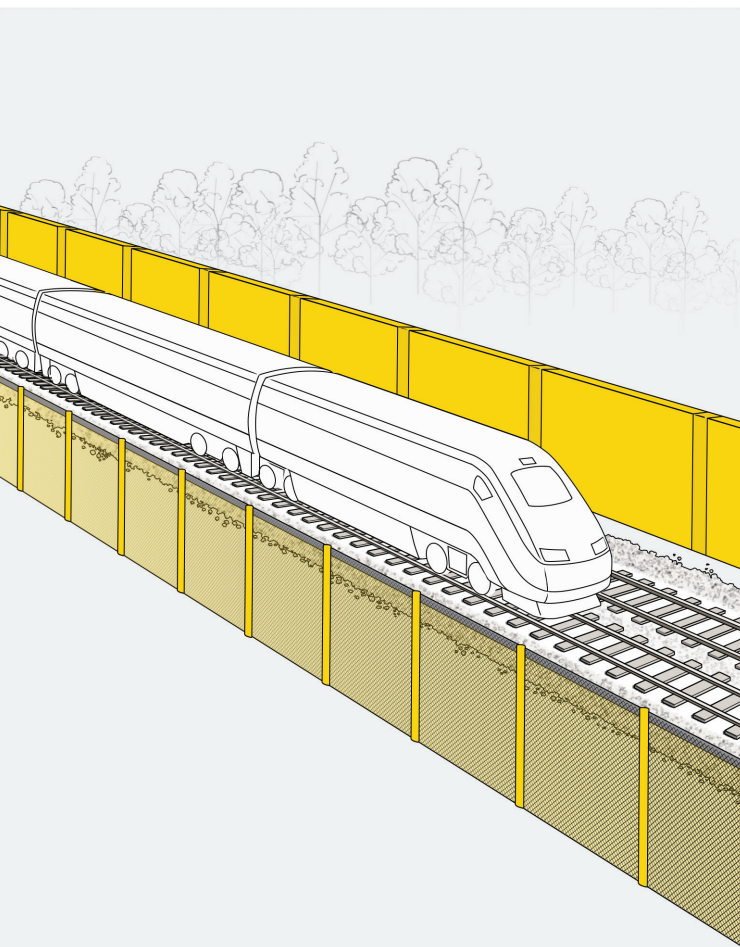


with various local agencies to evaluate other high-priority at-grade crossing projects in order to deliver safety and environmental benefits prior to the arrival of high-speed rail.

Quad Gates

The Authority will work with communities along the rail corridors to install safer rail crossings, such as 4 Quadrant Gates, or Quad Gates. Quad gates are designed to block all lanes of traffic on both sides of the track, and provide a closure delay on the exit side to allow vehicles that may get stuck between the gates to get off the tracks. Quad gates are also a temporary measure considering the entire high-speed train system is intended to eventually be fully grade-separated over time.

Quad gates have been shown to reduce collisions at-grade crossings by 98 percent ⁽²⁾.



Intrusion Barriers

The high-speed rail system will operate adjacent to or within the right-of-way of other transportation systems throughout the state. These transportation systems include passenger railroad lines, freight railroad lines and state or local highways and roadways. At these locations, assessments will determine the need for intrusion protection for the respective modes and services. Hazard analyses, risk assessments, and implementation of appropriate mitigations to reduce the potential for intrusion will allow the high-speed rail system to safely operate in proximity to existing transportation systems.

In the rural environment, the Authority will design fencing and other solutions that will minimize potential collisions and accidents. The Authority's bridges and tunnels will also be dedicated solely to high-speed trains, which will help eliminate potential hazards.

In addition to fencing, walls and other systems can be put into place that would not only help minimize noise and sightlines, but also prevent potential hazards within urban environments. The Authority is committed to working with communities and local jurisdictions to ensure that the barriers blend into the surrounding environments.

⁽²⁾ UC Berkeley Safe Transportation Education and Research Center



April Construction Update

FRESNO, Calif. –Work is underway at six project sites within Construction Package 1 (CP 1), and more projects are expected to break ground in the coming weeks and into the summer. CP 1 is the first approximately 32-mile stretch of high-speed rail between Avenue 19 in Madera County to East American Avenue in Fresno County. For more pictures from the work sites and continuous updates on construction visit BuildHSR.com. For road closure information visit Caltrans QuickMap.

Fresno River Viaduct

Near Madera



A sea of rebar atop the bridge deck at the Fresno River Viaduct near Madera. This rebar will soon be covered in concrete and form the top of the “superstructure”. Work is also underway to build the section of the bridge that crosses State Route 145. The Fresno River Viaduct will span from Raymond Road to Watson Street in Madera County and runs parallel to the BNSF tracks.

Tuolumne Bridge Construction

Downtown Fresno



Construction of the Tuolumne Street Bridge in downtown Fresno is moving along ahead of schedule. Work on the final four columns is underway. Several columns and flairs have been completed with the pouring of the flair seen in the distance of this picture expected to happen in the last week of April. Girders should start being placed in May. The new two-way Tuolumne Street Bridge is being constructed higher than the old one-way bridge to allow the passage of high-speed trains.

Cedar Viaduct

South Fresno



Several piles have been poured for the Cedar Viaduct in south Fresno. Crews are now making preparations to begin pouring columns which should start in the next few weeks. This bridge will cross Cedar and North Avenues as well as State Route 99. It will feature arches and will serve as the southern gateway entering Fresno.



San Joaquin Viaduct

North Fresno



Rebar cages being constructed at the future site of the San Joaquin Viaduct in north Fresno. Drilling for piles should start in the next few weeks. Like the Cedar Viaduct in the south, this bridge will include arches and serve as the northern gateway into Fresno. It will also include a pergola (seen below) that will cross over the Union Pacific tracks along State Route 99.



Fresno Trench/SR-180 Passage

Fresno



Support piles have been poured to help with the excavation for the Fresno Trench. Work is now underway to pour structural piles. The trench will run approximately two miles from south of State Route 180 to between Olive and Belmont Avenues. Work should also begin in the coming weeks to create a passage underneath State Route 180.

State Route 99 Realignment

Central Fresno



Retaining walls are taking shape as work continues to realign Highway 99 from Ashlan to Clinton Avenues in Fresno. The work will move the highway approximately 100-feet to the west. Work to demolish and rebuild the Clinton Avenue bridge is expected to begin early next year. Caltrans is serving as the Authority's contractor on this project.

Contact:

Toni Tinoco

Information Officer

Toni.Tinoco@hsr.ca.gov

(559)445-6776

Para información o preguntas, por favor llame al teléfono (559) 248-6373 directo o visite el sitio web www.hsr.ca.gov

如有疑問或需要索取工程最新資料，請致電輔助熱線或參閱工程網頁

Để biết thêm thông tin hoặc là có câu hỏi, xin quý vị vui lòng gọi số điện thoại hoặc là viếng thăm trang web liệt kê ở phía dưới trang này:

Issued on April 29, 2016 CV 16 - 20

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CAHighSpeedRail*



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cahsra#*

hsr.ca.gov

How do High-Speed Train Noise Levels Compare to Traditional Trains?

Four major factors make high-speed trains operate at generally quieter levels than conventional passenger and freight rail services.

Duration of Noise Disturbance*



HIGH-SPEED TRAIN

TRAIN LENGTH: 1,300 FT.

SPEED: 220 MPH



FREIGHT TRAIN

TRAIN LENGTH: 1-MILE

SPEED: 50 MPH

1 Train Speed

The duration of noise is brief for high-speed trains when compared to traditional train systems which take longer to pass.

2 Electric Trains

High-speed trains are powered by an electric propulsion system which, when compared to the more common diesel train engines, generate significantly less noise.

3 Auditory Warning Systems

Portions of high-speed train systems that operate on grade-separated track will not require sounding bells and warning horns that are necessary for traditional railroad crossings.

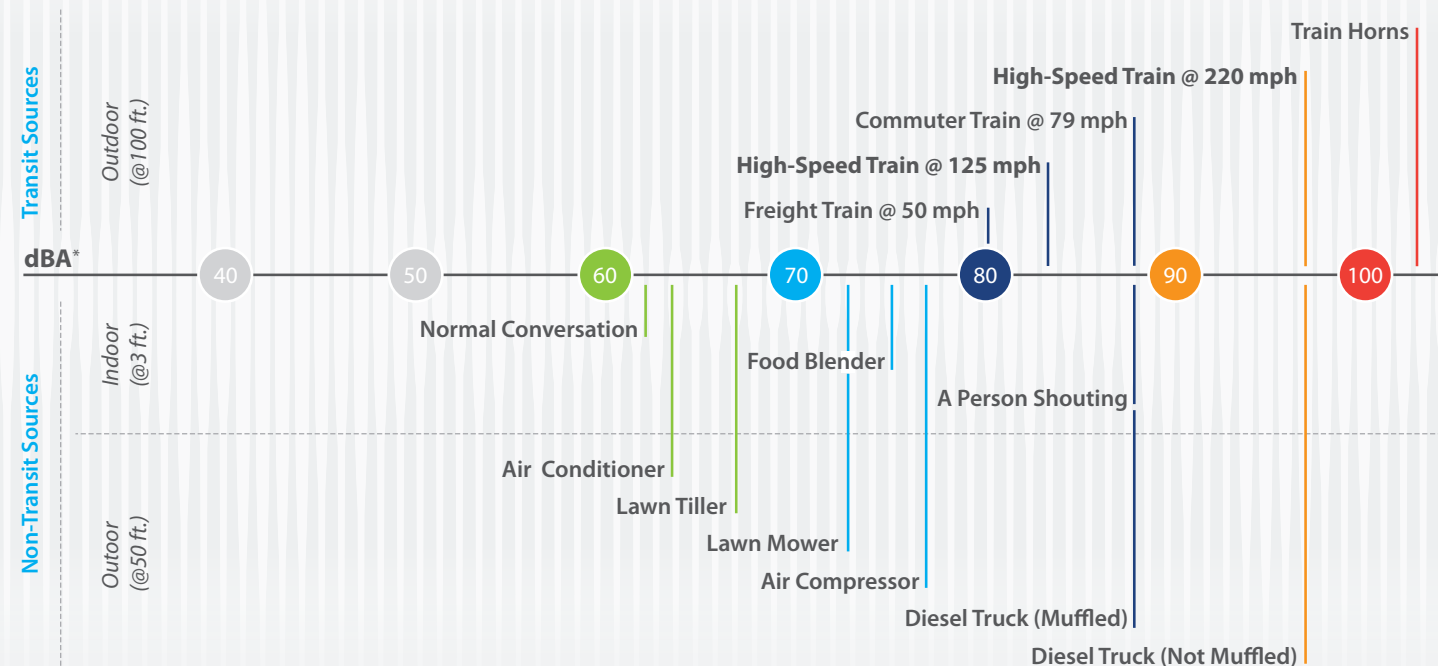
4 Hours of Operation

Unlike some passenger train services and many major freight routes which operate through the night, there will not be any high-speed rail service scheduled between the hours of midnight and 5 a.m. when people are most sensitive to noise.

*Based on typical train-length and speed capabilities. High-speed rail will operate at slower speeds through urban corridors.

The Sound of High-Speed Train Travel

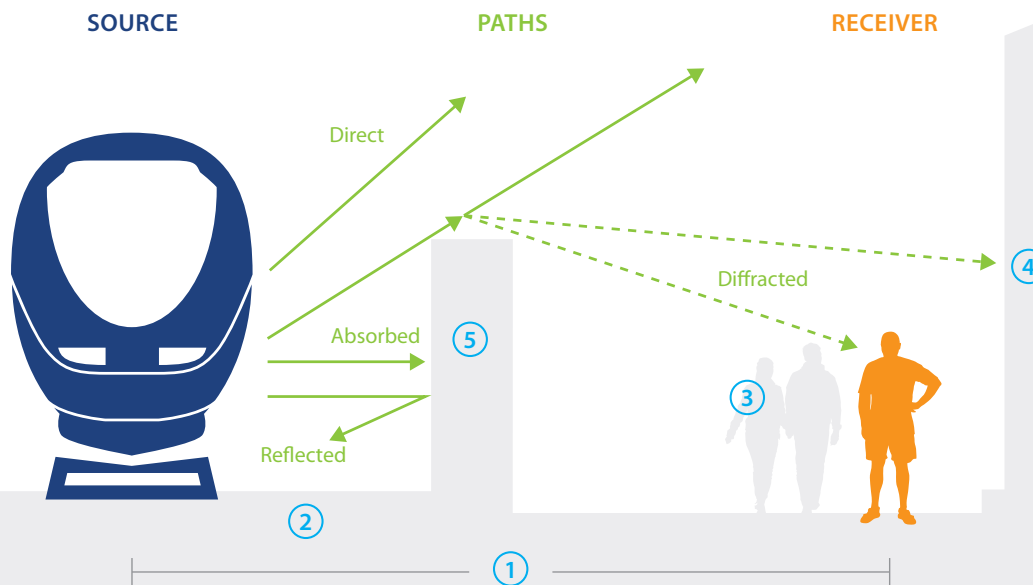
Typical Maximum Noise Levels Before Mitigation



*A-weighted decibels (dBA) are an expression of the relative loudness of sounds in air as perceived by the human ear

What Influences Noise Levels?

The **distance** (1) between the train tracks and the listener, the type of **ground surface** (2), **ambient noise** (3), and the presence of **buildings** (4) or **sound barriers** (5) will all influence the noise level that is heard by a listener at any given location.



How to Minimize the Effects of Noise in Sensitive Areas

Sound walls, sound barriers (solid and/or transparent), or earthen berms built between the train tracks and residential or other noise-sensitive areas can help reduce noise disturbance caused by the train service. The Authority has committed to mitigating all noise impacts that are classified as severe under FRA guidelines.⁽¹⁾

Additionally, at areas where the train will need to travel through at-grade crossings, the establishment of “quiet zones” where additional safety measures remove the need to sound train horns can help significantly reduce noise-disturbance.

⁽¹⁾ FRA High-Speed Ground Transportation Noise and Vibration Impact Assessment (2012)



*Above images serve as examples of noise mitigation measures and are not an indication of a preferred method for use on the California High-Speed Rail project





High-Speed Rail

Connecting and Transforming California

California has an opportunity to once again lead the nation. Europe and Asia have well-established high-speed rail systems that have helped them prosper and protect the environment. Most countries are expanding their systems. High-speed rail is not only a cutting edge transportation technology – it’s also a proven one. It’s time for our state and our nation to develop and build this type of system in California and to connect our economic centers together with a fast, reliable high-speed rail that is fully integrated into regional rail.

The public has passed a ballot measure approving the high-speed rail program. The Governor has sustained it with his visionary leadership. And the Legislature has continued to support and fund it. Because of that, major construction is underway in the Central Valley. Now we need your help to sustain that momentum and we are asking for your public support.

Projects like this are always controversial and take bold leadership to move them from vision to reality. There were those who fought the creation of BART and the Golden Gate Bridge. Both are now absolutely vital to our region’s mobility and economic prosperity. With your help, we can bring high-speed rail to the Bay Area and connect California’s economic and cultural centers together in a way they have never been connected before.

High-Speed Rail will better connect the state and improve our regions in the following ways:



Increase Mobility

Improve mobility in the face of growth – with our population estimated to reach 50 million by 2050.



Needed Alternative

Provide a more convenient and productive way to travel and new opportunities to collaborate on business.



Better Air Quality

Improve air quality – by shifting people from cars and planes to clean trains.



Job Growth

Stimulate job growth across the state – now with construction and long-term with maintenance and operations.



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Here's how you can show your commitment to High-Speed Rail in California:



Endorse

Let us know that we can use your name publicly as a supporter.



Raise Your Voice

Tell a friend or colleague about the benefits of high-speed rail.



Publish

Let us help you in preparing an op-ed for a local paper, Medium or Huffington Post.



Post

Share your support for the project via Twitter or other social media.

Take Action Today

YOUR NAME:

YOUR COMPANY:

YOUR EMAIL:

For more information visit: www.hsr.ca.gov

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CALIFORNIA
High-Speed Rail Authority

RIGHT-OF-WAY • REV. 2 APRIL 2013 (PREV. DECEMBER 2012 AND NOVEMBER 2009)

Your Property, Your High-Speed Rail Project

Your Property, Your High-Speed Rail Project

The California High-Speed Rail Authority (Authority) prepared this booklet for you as a person who may potentially be affected by the proposed construction of the high-speed rail system, a public transportation project. If it appears that your property will be affected, you may be wondering what will happen. Who will contact you? What will you be paid for your property? Who will pay your moving costs? Will the Authority help you find a new place to live?

Important questions such as these require specific answers.

We hope this booklet will answer some of your questions and present a better picture of our overall procedures.

WHY DOES A PUBLIC AGENCY LIKE THE AUTHORITY HAVE THE RIGHT TO BUY MY PROPERTY?

Our state and federal constitutions recognize the need for public agencies to purchase private property for public use while providing appropriate safeguards to accomplish this purpose. The state and federal constitutions and various statutes, including the California Eminent Domain Law and the state Relocation Assistance Act, and the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act), authorize the purchase of private property for public use and outline how public agencies are required to protect the rights of each citizen whose property is being acquired.

The responsibility for studying potential sites for the high speed train system rests initially with Authority staff and teams of highly qualified consultants, and ultimately with the Authority Board which will make final decisions on the location of high speed train system tracks, structures and related facilities. By the time the Authority reaches a decision on the location of facilities many months and years will have been spent in preliminary study and investigation to consider possible locations for sections of the project.

Consideration of the environmental and community impacts of the high-speed train system is important in determining the location of tracks and facilities, as are engineering factors and costs. Participation by private citizens and public agencies is actively sought so that various views can be considered in the study process. The process may include public hearings and/or workshops, which give persons an opportunity to express their views on the locations being considered. As a result of this team effort, the best possible location for the rail facilities is selected after thorough social/community, economic, engineering, and environmental analyses, as well as consideration of expressed public concerns and desires. The goal is that the project provides the greatest public good and the least private injury or inconvenience while rendering the best possible service.

The Authority will employ various specialists, including the following:

Relocation Specialists

These individuals perform early studies of the general needs of persons who may need to be relocated and the kind of replacement properties which may be required. A relocation impact analysis will be completed before the Authority requires anyone to move from their property.

DEFINITIONS

The language used in relation to eminent domain proceedings may be new to you. These are some terms you may hear and their general meaning.

Acquire - To purchase.

Answer - The property owner's written reply, in appropriate legal form, filed with the court in response to the eminent domain complaint and as requested by the summons.

Authority - The California High-Speed Rail Authority.

Compensation - The amount of money to which a property owner is entitled under the law for the purchase of the property and any related damages.

Complaint - The document filed with the court by the Authority that initiates an eminent domain proceeding.

Condemnation - The legal process by which a proceeding in eminent domain is accomplished.

Counsel - An attorney or attorneys.

Deposit - A deposit made by the Authority with the State Treasurer as security for the property rights it is seeking to acquire. The deposit is based on the probable amount of just compensation as determined by an appraisal.

Eminent Domain - The right of a public entity to purchase private property for public use.

Property Surveyors

These individuals perform field surveys and monument property lines to delineate and map the Authority's right of way needs. They are also authorized by law to enter real property to perform such tasks. It is the Authority's policy that owners and tenants of property will be notified prior to such surveys.

WHO WILL CONTACT ME?

A Right-of-Way Agent or an appraiser will contact you to initiate an appraisal of your property on behalf of the Authority. You will be afforded the opportunity to accompany the appraiser on the inspection of your property. At the time of the inspection the appraiser will also provide you with general project information. The appraiser will analyze your property and examine all of the features which contribute to its market value. Information about improvements you have made and any other special features that you believe may affect the market value of your property should be given to the appraiser to ensure he/she has all the information you feel is relevant.

It is the duty of the Authority to ensure that you receive fair market value as if you sold your property privately in the open market. The Authority cannot buy your property for more than it is worth, but it **CAN** and **WILL** assure you that you do not have to sell your property for less than its fair market value. The owner shall receive a copy of the appraisal or a summary of the valuation upon which the Authority's offer is based.

At the time the offer is made to purchase your property, you may obtain your own appraisal and the Authority will reimburse you up to \$5,000 for the actual, reasonable costs of obtaining an independent appraisal. A state licensed appraiser must perform your appraisal. Your Right-of-Way Agent will provide more information concerning this reimbursement at the time of the offer.

WHAT ADVANTAGE IS THERE IN SELLING YOUR PROPERTY TO THE AUTHORITY?

A real estate purchase by the Authority is handled in the same way as any private sale of property. However, there can be financial advantages in selling to the Authority.

The Authority will pay fair market value for your property. The Authority will also pay for the preparation of all documents, all title and escrow fees, a policy of title insurance, recording fees and other fees that may be required for the conveyance of title to the Authority. Because this is a direct conveyance of real property from the property owner to the Authority, there are no real estate commissions involved, and the Authority will not recognize or pay any real estate commissions.

A private sale will usually cost the seller thousands of dollars in sales expenses. There are no seller's expenses in a purchase by the Authority.

Additionally, depending on your specific circumstances, you may be eligible for relocation payments and benefits when you move. These benefits are described in supplemental booklets which will be provided to you, should the Authority's acquisition actually cause you to be displaced from your property.

WILL I BE PAID FOR LOSS IN VALUE TO MY REMAINING PROPERTY?

When only a part of your property is needed for a project, every reasonable effort is made to ensure that you do not suffer damages to the remainder of your property. The total payment by the Authority will be for the property the Authority actually purchases and for any loss in market value to your remaining property.

The determination of any loss in market value due to a partial acquisition is an appraisal task involving many variables. When this situation occurs, the Right-of-Way Agent will explain the effect of a partial acquisition on your remaining property.

Fair Market Value - The highest price on the date of valuation that would be agreed to by a seller, being willing to sell but under no particular or urgent necessity for so doing, nor obliged to sell, and a buyer, being ready, willing and able to buy but under no particular necessity for so doing, each dealing with the other with full knowledge of all the uses and purposes for which the property is reasonably adaptable and available.

Final Order of Condemnation -

The instrument which, when recorded, transfers title to public ownership.

Judgment - The court's formal decision based on applicable law and the verdict.

Just Compensation - The amount paid to a private property owner by a public entity measured by the fair market value of the property being acquired.

Loss of Business Goodwill - A loss in the value of a business caused by a public entity's acquisition of property that cannot be reasonably prevented by relocation of the business or by the owner adopting prudent or reasonable steps that preserve the value of the business goodwill.

Parcel - Usually the property that is being acquired.

Plaintiff - The public entity that desires to purchase the property.

Possession - Legal control of the property including the right to use it.

MAY I RETAIN AND MOVE MY HOME, BUSINESS BUILDING, MACHINERY, OR EQUIPMENT?

If your house is movable and you wish to make such an arrangement, the Authority will pay you on the basis of the market value of your present lot including landscaping, plus the reasonable cost of moving the building. There are cases where, because of age, size or condition of the house, the cost of moving it would exceed its present market value, less its salvage value. In such a case, payment of moving costs would be an improper expenditure of public funds and your compensation would instead be based on the fair market value of the entire property.

If you operate a farm or business, you may wish to keep and move fixed machinery and equipment. Additionally, as an owner of a business conducted on the property to be purchased, you may be entitled to compensation for a loss of business goodwill. Your specific circumstances will need to be analyzed on a case-by-case basis.

If these concepts apply to your situation, they will be explained by the Right-of-Way Agent assigned to purchase your property.

WILL I HAVE TIME TO SELECT ANOTHER HOME AFTER THE AUTHORITY MAKES ITS PURCHASE?

The Authority starts to appraise properties early enough so that you will have ample time to move before the beginning of project construction. Like any other real estate transaction, the purchase of your property requires time to close an escrow after a right of way contract and deed have been signed. You will not be required to move until comparable, decent, safe and sanitary replacement housing is available.

Once you have received the written offer from the Authority to purchase your property, it is in your best interest to look for a new place to live as soon as possible. Finding a home early that best suits your needs before you are required to move will minimize your personal inconvenience and will avoid your having to make a choice of housing under pressure. In some instances you may be able to sell your property to the Authority and rent it back temporarily pending construction.

The Authority will also offer to provide you with assistance in finding a new place in which to live and will give you at least 90 days notice in writing before you are required to move.

WHAT HAPPENS TO THE LOAN ON MY PROPERTY?

After you and the Authority have agreed upon a price, a Right-of-Way Agent and/or a title company will contact all other parties having an interest in the property. Payment to satisfy outstanding loans or liens will be made through a title company escrow as in any other real estate transaction.

WHAT WILL HAPPEN TO MY GI OR CAL-VET LOAN?

The Veterans Administration and the California Department of Veterans Affairs allow your veteran loan privileges to be transferred and to become available for coverage on another property.

Your Right-of-Way Agent will assist you in the transfer. However, it is to your benefit and is your responsibility to check with the Veterans Administration or the California Department of Veterans Affairs for procedural instructions.

IF THE VALUE OF MY PROPERTY IS HIGHER TODAY THAN WHEN I PURCHASED IT, DO I HAVE TO PAY INCOME TAX ON THIS DIFFERENCE WHEN I SELL/CONVEY TO THE AUTHORITY?

Under both federal and California income tax law, the sale of property to a governmental agency for public use comes under the definition of an "involuntary conversion." Property owners who sell their property for a gain as a result of an involuntary conversion may elect to defer the tax on all or part of

Possession and Use Agreement - An agreement between an owner and the Authority allowing the Authority to enter and utilize the property under specific conditions, including the deposit of the full amount of the Authority's appraisal, while negotiations continue.

Property - The right or interest which an individual has in land and improvements, including the right to use or possess all or any portion of it.

Relocation Assistance Act - California Government Code 7260-7277 and Implementing Guidelines (25 Cal. Code of Regs., sections 6000-6198).

Summons - Notification of filing of a lawsuit in eminent domain and of the necessity to file an answer or other responsive pleading.

Title - Legal ownership.

Trial - The hearing of the facts presented by a plaintiff and a defendant in court of law, either with or without a jury.

Uniform Act - The Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. sec. 4601, et seq.) and Implementing Regulations (49 C.F.R. Part 24)

Verdict - Following trial, the amount of just compensation to be paid for a property including any damages to the remainder, if applicable.

the gain. If an election is properly made, the gain in the year of the sale is taxable only to the extent that the sales price received for the sale of the property exceeds the cost of replacement property, which must be purchased by the seller within certain time limits. You should consider consulting your tax advisor because of the various issues involved regarding the qualifications for, and tax reporting of, the special tax treatment under the involuntary conversion rules.

WILL I LOSE THE FAVORABLE PROPERTY TAX BASIS THAT I NOW HAVE UNDER THE PROVISIONS OF PROPOSITION 13?

Section 2(d) of Article XIII-A of the California Constitution, section 68 of the Revenue and Taxation Code and section 462.5 of title 18 of the California Code of Regulations generally provide that property tax relief shall be granted to any real property owner who acquires comparable replacement property after having been displaced by governmental acquisition or eminent domain proceedings.

You will be given a copy of section 462.5 with an attached page showing examples of how to calculate estimates of the tax relief you may be eligible for. These are only approximations. You must see your county Tax Assessor for a final determination.

Note: Revenue and Taxation Code section 68 and section 462.5 of title 18 of the California Code of Regulations set forth time limits that may affect your eligibility to retain your favorable current real property tax status.

THE AUTHORITY'S POWER OF EMINENT DOMAIN

A person's private property rights are protected by the federal and state constitutions and applicable federal and state laws. The principal right is that "just compensation" must be paid for private property acquired for a public project.

The vast majority of Authority's property transactions are settled by contract. However, if the owner and the Authority cannot agree on the terms of sale, the Authority may initiate the eminent domain process to avoid delaying the project, and may eventually be required to initiate condemnation proceedings.

Before filing a condemnation action in court, the Authority will give you an opportunity to question whether public interest, necessity, planning and location require the proposed project and your property. Condemnation lawsuit documents are prepared by the Authority and filed with the court in the county where the property is located. The summons and complaint in eminent domain will then be served on all persons having a property interest in the parcel. The persons served must answer the lawsuit within 30 days.

Counsel for the parties will then prepare for trial, and the court will set dates for briefing, preliminary motions and the trial.

WHAT HAPPENS IN A CONDEMNATION TRIAL?

The purpose of the trial is to determine the amount of just compensation. Usually the trial is conducted before a judge and jury. Both the property owner and Authority will have the opportunity to present evidence of property value. The jury will determine the amount of compensation after being instructed as to the law by the judge. In those cases where the parties choose not to have a jury, the judge will decide the amount of compensation.

Following trial, the judgment is prepared by counsel and signed by the judge. It will state that, upon payment of the amount of the verdict for the benefit of the private parties having an interest in the property, title will be transferred to public ownership.

When the Authority makes the payment as required by the judgment, the final order of condemnation is signed by the judge and recorded with the County Recorder's office. The recordation of the final order memorializes the actual transfer of title.

WHO PAYS THE CONDEMNATION TRIAL COSTS?

The Authority pays the costs of its attorney and its engineering and appraisal witnesses. It will also pay the jury fees and certain of your costs that are recoverable by law. The fee for filing your answer with the court is an example of these costs.

However, if after a trial the judge determines that the Authority's offer of settlement was unreasonable, and that the demand of the property owner was reasonable viewed in light of the evidence admitted at trial and the verdict, the property owner may receive reimbursement of litigation expenses such as attorney's and appraiser's fees. The judgment is then prepared by counsel and signed by the judge.

IF I WANT A TRIAL, MUST I HAVE AN ATTORNEY AND EXPERT WITNESSES?

Most property owners will be represented by an attorney, although they have the right to represent themselves.

You may wish to consult your family attorney. If you do not have one, you may consult the yellow pages of the local telephone directory for a listing of attorneys and an attorney reference service. The local bar association may also provide a list of attorneys who may offer services in eminent domain proceedings. You and your attorney must decide what type of case you will present and what witnesses will be needed.

WILL I BE PAID ANY RELOCATION ASSISTANCE BENEFITS EVEN THOUGH I GO TO COURT?

A decision to go to court has no effect on your right to relocation benefits. Payment of relocation benefits is administered separately from the condemnation action, although the amount of just compensation you receive may affect the amount of some of your relocation benefits. You will be provided details of additional assistance to help displaced persons, businesses, farms or nonprofit organizations in finding, purchasing or renting, and moving to a new location. These are explained in various booklets prepared for homeowners, tenants, and business and farm operators and will be made available by the Authority.

HOW LONG CAN I KEEP MY PROPERTY?

Continued use of your property usually depends on the date preparation for construction begins, usually with the need for utility relocations and the demolition and/or clearance of buildings. If preparation for construction must begin before the trial, the Authority will seek a court order for early possession of your property.

In this situation the Authority will be required to make a deposit with the State Treasurer, as security for the property rights it is seeking to acquire, of the probable amount of just compensation, as determined by an appraisal, equal to the appraised value of the property rights it is seeking. The court will determine if the amount of money deposited is adequate. Once the deposit is made the owner may withdraw all or a portion of it at any time during the condemnation proceedings.

Following the deposit, the court may then grant to the Authority an order for early possession allowing the Authority to use the property for construction of the project.

To obtain an order for possession, the Authority will file a motion with the court and schedule a hearing 90 days after you and all occupants of the property are served with the motion papers (60 days if the property is unoccupied). You and the occupants, if any, will have 30 days to oppose the motion. Once the court grants an order for possession of the property, the Authority may obtain possession of the property 30 days after the owner and any occupants are served with the order. You and all your possessions must be removed from the property not more than 30 days after you receive the order.

Subject to the rights of any other persons having an interest in the property, you may withdraw all or part of the pre-judgment deposit. If you do not make a withdrawal, the Authority will pay interest on the eventual court award, or agreed settlement sum from the time it legally occupied your property until the date of final payment to you. Interest will accrue at the applicable statutory rate until paid at the time of final settlement.

The Authority's Right-of-Way Agent assigned to purchase your property will assist you in the transaction and will be available to answer any additional questions you may have.

CALIFORNIA HIGH-SPEED

RAIL AUTHORITY

APRIL 2013

This is an informational pamphlet only. It is not intended to give a complete statement of all state or federal laws and regulations pertaining to the purchase of your property for a public use, the Relocation Assistance Program, technical legal definitions, or contain any form of legal advice.

ADA Notice

For individuals with disabilities, this document is available in alternate formats.

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High-Speed Rail Right-of-Way

Private Property & High-Speed Rail: Your Questions Answered

My Property and High-Speed Rail

The California High-Speed Rail Authority (Authority) understands that private property owners will be affected by the proposed construction of the high-speed rail system. In light of this fact, the Authority has committed to do everything it can to educate, inform and work collaboratively with affected property owners. This document provides an at-a-glance reference for some frequently asked questions.

WHY DOES A PUBLIC AGENCY HAVE THE RIGHT TO BUY MY PROPERTY?

Our state and federal constitutions recognize the need for public agencies to purchase private property for public use while providing safeguards to accomplish this purpose. The state and federal constitutions as well as various statutes, including the California Eminent Domain Law, the California Relocation Assistance Act, and the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act, authorize the purchase of private property for public use and outline how public agencies are required to protect the rights of each citizen from whom property is being acquired.

WILL MY VOICE BE HEARD?

The Authority and the Federal Railroad Administration (FRA) have been using a tiered planning and environmental review process for the high-speed rail project under the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). After a multi-year environmental review process, preferred corridors and station locations were identified for further detailed study in project-level environmental documents.

During the project-level environmental review, the Authority and FRA have been actively seeking the input of private citizens, organizations, and public agencies so that various views can be considered in the development of both the project alternatives and the environmental issues to be further studied in the draft environmental documents. Property owners potentially impacted by the project are encouraged to participate and offer their views on the project, potential impacts, and the location of project alternatives.

The Authority and FRA will release a Draft Environmental Impact Report/Statement (Draft EIR/EIS) for each section of the statewide high-speed rail system. A public comment period, during which written public comments will be accepted, will follow the release of the draft document. During this time, the Authority will also host additional public meetings and/or workshops, which give members of the public another opportunity to express their views on the project and the locations being considered.

WHEN WILL I KNOW IF THE AUTHORITY NEEDS TO ACQUIRE MY PROPERTY AND HOW WILL THE AUTHORITY ACQUIRE MY PROPERTY IF NECESSARY?

At the conclusion of the public comment period on the Draft EIR/EIS, the Authority will evaluate and develop responses to the public comments to be included in the Final EIR/EIS. The Authority Board will also receive a presentation designating a preferred alternative to be identified in the Final EIR/EIS. The designation of a preferred alternative for each individual section will occur at a publicly noticed meeting of the Authority Board.

Once a property owner is identified as being in the path of the publicly noticed designated preferred alternative, the Authority may move forward with the appraisal process, the first step in acquiring the required property.

The Authority's appraiser is typically the first person to contact the property owner. If all or a portion of the property is required for the project, a written notice is sent to the property owner inviting him/her to accompany the appraiser on an inspection of the property. The appraisal process typically begins several months before the property is required for construction. The exact timing of the appraisal will be based on the project schedule and needs. Upon completion of the appraisal process, and after approval of the Final EIR/EIS, the Authority's Right-of-Way Agent assigned to purchase the property will contact the property owner.

Please review the booklet, "Your Property, Your High-Speed Rail Project," online for more detailed information about the appraisal and acquisition processes, or call to request a copy.

WHAT ARE THE ADVANTAGES IN SELLING MY PROPERTY TO THE AUTHORITY?

- You will be paid fair market value.
- The Authority will pay for preparation of all documents, including title and escrow fees, title insurance, recording fee and other fees that are required.
- You will not need to pay real estate commissions.
- You will not pay any seller's expenses.
- You may, depending on your circumstances, be eligible for relocation payments and benefits.

HOW LONG CAN I KEEP MY PROPERTY?

Continued use of your property depends on the date preparation for construction begins, usually with the need for utility relocations and the demolition and/or clearance of buildings. The Authority's Right-of-Way Agent assigned to purchase your property will assist you in the transaction and will be available to answer any additional questions you may have.

WILL I BE PAID FOR LOSS IN VALUE TO MY REMAINING PROPERTY?

When only a part of your property is needed for a project, every reasonable effort is made to ensure that you do not suffer damages to the remainder of your property. The total payment by the Authority will include the fair market value of the property the Authority actually purchases plus any loss in market value to your remaining property.

The determination of any loss in market value due to a partial acquisition is an appraisal task involving many variables. When this situation occurs, the Right-of-Way Agent will explain the effect of a partial acquisition on your remaining property.

WHAT IF MY PROPERTY IS NOT ACQUIRED, BUT MY PROPERTY VALUE IS AFFECTED? IS THERE COMPENSATION FOR THIS?

Although the Authority does not anticipate there will be a loss in value to properties not required for the project, owners who believe they have suffered a loss may file a claim with the State of California Government Claims Board. More information may be obtained online at www.vsgcb.ca.gov/claims

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CALIFORNIA

High-Speed Rail Authority

RIGHT-OF-WAY • REV. 2 APRIL 2013 (PREV. DECEMBER 2012 AND NOVEMBER 2009)

Su propiedad, su Proyecto del Tren de Alta Velocidad

La Autoridad Ferroviaria de Alta Velocidad (Autoridad) elaboró este folleto para usted, como persona potencialmente afectada por la construcción del sistema de Tren de Alta Velocidad propuesto, un proyecto de transporte público. Si su propiedad se verá afectada, puede que se esté preguntando qué sucederá. ¿Quién se contactará con usted? ¿Cuánto se le pagará por su propiedad? ¿Quién cubrirá los costos de transporte? ¿La Autoridad lo ayudará a encontrar un nuevo lugar donde vivir?

Preguntas importantes como estas requieren respuestas específicas.

Esperamos que este folleto responda algunas de sus preguntas y presenten un mejor panorama de nuestros procedimientos generales.

¿POR QUÉ UNA AGENCIA PÚBLICA COMO LA AUTORIDAD TIENE DERECHO A COMPRAR MI PROPIEDAD?

Nuestras constituciones estatales y federales reconocen la necesidad de que las agencias públicas compren propiedades privadas para uso público al brindar protección adecuada para lograr este fin. Las constituciones y varias leyes estatales y federales, incluida la Ley de Dominio Eminente de California (Eminent Domain Law), la Ley de Asistencia en Reubicación de California (Relocation Assistance Act), y la Ley Federal de Asistencia en Reubicación Uniforme y Políticas de Adquisición de Propiedades (Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act), autorizan la compra de propiedad privada para uso público y establecen la manera en que se le exige a las agencias públicas proteger los derechos de cada ciudadano cuya propiedad esté siendo adquirida.

La responsabilidad de estudiar los posibles sitios por donde pasará el sistema de tren de alta velocidad descansa, inicialmente, en el personal de la Autoridad y en los equipos de consultores altamente calificados y, por último, en la Junta Directiva de la Autoridad, la cual tomará la decisión final en cuanto a la ubicación de los rieles, estructuras e instalaciones relacionadas del sistema de tren de alta velocidad. Muchos meses y años se habrán dedicado a realizar estudios preliminares y de investigación considerando las posibles ubicaciones para las secciones del proyecto antes que la Autoridad tome una decisión sobre la ubicación de las instalaciones.

La consideración de los impactos ambientales y comunitarios del sistema de tren de alta velocidad es importante al momento de determinar la ubicación de los rieles e instalaciones, al igual que lo son los factores de ingeniería y costos. Buscamos la participación activa de los ciudadanos y de las agencias públicas, de manera que puedan considerarse distintos puntos de vista durante el proceso de estudio.

El proceso podrá incluir audiencias públicas o talleres, los cuales darán a las personas la oportunidad de expresar sus opiniones en cuanto a las ubicaciones bajo consideración. Como resultado de este

DEFINICIONES

El lenguaje utilizado en relación con los procedimientos por dominio eminente puede ser nuevo para usted. Estos son algunos de los términos que puede que oigas y su significado general.

Adquirir - Comprar.

Respuesta - La respuesta del dueño de la propiedad, con el formato legal pertinente, presentada ante el tribunal en respuesta a la demanda por dominio eminente y según solicite la convocatoria.

Autoridad - La Autoridad Ferroviaria de Alta Velocidad del Estado de California.

Indemnización - La suma de dinero que le corresponde al dueño de la propiedad conforme a la ley por la compra de la propiedad y los daños relacionados con ella.

Demanda - El documento presentado ante el tribunal por la Autoridad que inicia un procedimiento por dominio eminente.

Expropiación - El proceso legal por medio del cual se tramita un procedimiento por dominio eminente.

Abogado - Uno o más abogados.

Depósito - Un depósito realizado por la Autoridad en el Tesoro del estado como garantía por los derechos de propiedad que procura adquirir. El depósito se basa en el monto probable de justa indemnización, según determine un tasador.

Dominio eminente - El derecho de un ente público para comprar una propiedad privada para uso público.

Valor Justo de Mercado - El precio más alto a la fecha de la valuación que pudieran acordar un vendedor con

trabajo en equipo, la mejor ubicación posible para las instalaciones del tren se elige después de realizar exhaustivos análisis sociales/comunitarios, económicos, de ingeniería, y ambientales y, además, tomando en consideración las inquietudes y deseos expresados por el público. El objetivo es que el proyecto proporcione el mayor bien público y el menor daño privado o inconveniencia mientras entrega el mejor servicio posible.

La Autoridad empleará a varios especialistas, incluyendo los siguientes:

Especialistas de Reubicación

Estos individuos realizan estudios preliminares de las necesidades generales de las personas que tuviesen que ser relocalizadas, y el tipo de propiedades de reemplazo que se requerirán. Antes que la Autoridad requiera a alguien mudarse de su propiedad se realizará un análisis de impacto de reubicación.

Agrimensores de la propiedad

Estas personas realizan mediciones del terreno y trazan límites de propiedades para delinear y armar mapas de las necesidades de paso de la Autoridad. También están autorizados por la ley a ingresar en el bien inmueble para realizar estas tareas. La política de la Autoridad dispone que los propietarios y arrendatarios sean notificados antes de la realización de estas mediciones.

¿QUIÉN SE CONTACTARÁ CONMIGO?

Un Agente de Derecho de Paso o un tasador se contactarán con usted para iniciar una tasación de su propiedad en nombre de la Autoridad. Usted tendrá la oportunidad de acompañar al tasador durante la inspección de su propiedad. El tasador también le proporcionará información general del proyecto durante la inspección. El tasador analizará su propiedad y examinará todas las características que contribuyan al valor de mercado. Toda información acerca de las mejoras que usted ha realizado y cualquier otra característica que usted considere que pudiese afectar el valor del mercado de su propiedad deben ser dadas al tasador para asegurar que él/ella tenga toda la información que usted considere relevante.

Es deber de la Autoridad asegurarle que usted recibirá un valor de mercado justo, tal como si usted vendiera su propiedad privadamente en el mercado abierto. La Autoridad no puede comprar su propiedad por un valor mayor del que vale, pero **PUEDE y DEBE** asegurarle que usted no tenga que vender su propiedad por menos de su valor justo de mercado. El propietario recibirá una copia de la tasación o un resumen de la valuación sobre la que la Autoridad basó su oferta.

En el momento de la realización de la oferta de compra de su propiedad, usted podrá realizar su propia tasación y la Autoridad reembolsará hasta \$5.000 por los costos efectivos y razonables por la obtención de una tasación independiente. Esa tasación deberá realizarla un tasador con licencia del estado. Su Agente de Derecho de Paso le brindará más información relacionada con el reembolso al momento de la oferta.

¿CUÁLES SON LAS VENTAJAS DE VENDER SU PROPIEDAD A LA AUTORIDAD?

La compra de bienes y raíces por parte Autoridad se desenvuelve de la misma manera que cualquier venta privada de propiedad. Sin embargo, la venta a la Autoridad puede representar una ventaja financiera.

La Autoridad le pagará el valor justo de mercado por su propiedad. La Autoridad le pagará la preparación de todos los documentos, todos los gastos de título y registro, una póliza de seguro del título, costos de registro y otros aranceles que pudiesen ser necesarios para la transmisión del título

voluntad de vender, pero sin necesidad urgente ni particular de hacerlo, y sin obligación de vender; y un comprador que esté listo, disponible y que tenga voluntad de comprar, pero sin una necesidad particular de hacerlo, cada uno tratando el otro con conocimiento total de todos los usos y propósitos por los cuales la propiedad es razonablemente adaptable y está disponible.

Orden Final de Expropiación -

The instrument which, when recorded, transfers title to public ownership.

Sentencia - La decisión formal del tribunal basada en las leyes aplicables y el veredicto.

Indemnización Justa - La suma pagada a un propietario privado por parte de una entidad pública, medida sobre la base del valor justo de mercado de la propiedad que está siendo adquirida.

Pérdida de la Clientela del Negocio -

Pérdida en el valor de un negocio causado por la adquisición de la propiedad por parte de una entidad pública que no puede ser prevenida razonablemente por la reubicación del negocio o por el propietario adoptando medidas prudentes y razonables para preservar el valor de la clientela del negocio.

Parcela - Usualmente la propiedad que está siendo adquirida.

Demandante - La entidad pública que desea comprar la propiedad.

Tenencia - Control legal de la propiedad, incluyendo el derecho de uso.

Contrato de uso y tenencia - Un contrato entre un propietario y la

a la Autoridad. Como se trata de una transmisión directa del dueño de la propiedad a la Autoridad, no hay comisiones de bienes raíces participando en el proceso, y la Autoridad no reconocerá ni pagará a ninguna de comisión de ese tipo.

Una venta privada usualmente le cuesta al vendedor miles de dólares en gastos de venta. No hay gastos para el vendedor cuando la compra es hecha por la Autoridad.

Asimismo, dependiendo de sus circunstancias específicas, usted podrá ser elegible para pagos de reubicación y beneficios cuando se mude. Estos beneficios se describen en folletos complementarios que les serán entregados en caso de que la adquisición por parte de la Autoridad efectivamente cause el desplazamiento de su propiedad.

¿SE ME PAGARÁ POR LA PÉRDIDA DE VALOR EN EL REMANENTE DE MI PROPIEDAD?

Cuando solo una parte de su propiedad se necesite para el proyecto, se hará todo el esfuerzo razonable para asegurar que usted no sufra daños en el remanente de su propiedad. El pago total hecho por la Autoridad será por la propiedad que la Autoridad efectivamente compre, y por cualquier pérdida en el valor de mercado que sufra el resto de su propiedad.

La determinación de la pérdida en el valor de mercado a causa de una adquisición parcial es una tarea de tasación que implica muchas variables. Cuando esta situación se presenta, el Agente de Derecho de Paso le explicará el efecto de la compra parcial en el remanente de su propiedad.

¿PUEDO CONSERVAR Y TRASLADAR MI CASA, EDIFICIO DEL NEGOCIO, MAQUINARIA O EQUIPO?

Si su casa es movable y usted desea hacer dichos arreglos, la Autoridad le pagará sobre la base del valor de mercado de su lote actual, incluyendo jardines, más los costos razonables de traslado del edificio. Hay casos en que por la edad, tamaño, o estado de la casa, los costos de mudanza podrían exceder el valor actual de mercado, menos el valor residual. En tal caso, el pago de los costos de mudanza no sería un buen uso de los fondos públicos, y su indemnización estaría, en cambio, basada en el valor justo de mercado de toda la propiedad.

Si usted opera una granja o negocio, tal vez desee conservar y trasladar su maquinaria fija y equipos. Además, como dueño de un negocio que se realiza en la propiedad que será comprada, usted podría tener derecho a una indemnización por la pérdida de clientela del negocio. Sus circunstancias específicas serán analizadas caso por caso.

Si estos conceptos son aplicables a su situación, el Agente de Derechos de Paso asignado a la compra de su propiedad se los explicará.

¿TENDRÉ TIEMPO DE SELECCIONAR OTRA VIVIENDA DESPUÉS DE QUE LA AUTORIDAD HAGA SU COMPRA?

La Autoridad comenzará a tasar propiedades con suficiente antelación para que usted tenga tiempo suficiente de mudarse antes de empezar la construcción del proyecto. Como cualquier otra transacción de bienes raíces, la compra de su propiedad requiere tiempo para cerrar una garantía después de la firma de un contrato de derecho de paso y de una escritura. No se le pedirá que se mude hasta que cuente con una casa de reemplazo comparable, decente, segura y limpia.

Una vez que haya recibido la oferta escrita para la compra de su propiedad por parte de la Autoridad, se le recomienda que busque un nuevo lugar donde vivir lo más pronto posible. Encontrar una casa que se ajuste a sus necesidades con suficiente tiempo antes de que se le solicite que se mude, minimizará inconveniencias personales y le evitará tener que elegir bajo presión.

Autoridad que le permite a esta celebrar y utilizar la propiedad conforme a las condiciones específicas, incluido el depósito de la totalidad del monto de la tasación realizada por la Autoridad, mientras las negociaciones continúan.

Propiedad - El derecho o interés que un individuo tiene en un terreno y sus mejoras, incluyendo el derecho de uso y tenencia, total o parcial.

Ley de Asistencia en Reubicación de California (Relocation Assistance Act) - Código del gobierno de California 7260-7277 y Pautas de implementación (Código de Normas de California 25., Artículos 6000-6198).

Citación - Notificación de que una demanda legal ha sido presentada en un caso de dominio eminente, y de la necesidad de presentar una respuesta u otro tipo de contestación.

Título - Propiedad legal.

Juicio - Audiencia de los hechos presentados por el demandante y el demandado ante un tribunal, ya sea con o sin jurado.

Ley Uniforme - Ley Federal de Asistencia en Reubicación Uniforme y Políticas de Adquisición de Propiedades (Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act) de 1970 y modificatorias (Título 42 del U.S.C. sec. 4601, et seq.) y Reglamentaciones de Implementación (Título 49 del C.F.R. Parte 24)).

Veredicto - Luego del juicio, la suma de indemnización justa que será pagada por una propiedad, incluyendo cualquier daño al remanente de la propiedad, de ser aplicable.

En algunas ocasiones, podrá vender su propiedad a la Autoridad y luego rentarla temporalmente antes que inicie la construcción.

La Autoridad también le ofrece asistencia para encontrar un nuevo lugar en donde vivir y le enviará una notificación por escrito por lo menos con 90 días de antelación a la fecha en que tenga que mudarse.

¿QUÉ PASA CON EL PRÉSTAMO DE MI PROPIEDAD?

Luego de que usted y la Autoridad hayan acordado un precio, un Agente de Derecho de Paso o una compañía de títulos contactará a todas las personas que tengan interés en la propiedad. Los pagos para satisfacer los préstamos o gravámenes pendientes se realizarán a través de una compañía de títulos, como en cualquier otra transacción de bienes raíces.

¿QUÉ PASARÁ CON MI PRÉSTAMO GI O CAL-VET?

La Administración de Veteranos y el Departamento de Veteranos de California permiten que sus privilegios de préstamo para veteranos sean transferidos y estén disponibles para la cobertura en otra propiedad.

Su Agente de Derecho de Paso lo asistirá en la transferencia. Sin embargo, es su responsabilidad, para su beneficio propio, verificar con la Administración de Veteranos o el Departamento de Veteranos de California las instrucciones de este procedimiento.

¿SI EL VALOR DE MI PROPIEDAD ES MÁS ALTO HOY QUE CUANDO LA COMPRÉ, TENGO QUE PAGAR IMPUESTO SOBRE LA RENTA POR ESTA DIFERENCIA AL MOMENTO DE VENDER/TRANSFERIR LA PROPIEDAD A LA AUTORIDAD?

Tanto conforme a la ley de impuesto sobre la renta federal y del estado de California, la venta de propiedad a una agencia del gobierno para uso público cae dentro de la definición de “conversión involuntaria”. Los propietarios que venden sus propiedades por una ganancia como resultado de una conversión involuntaria podrán elegir no pagar impuestos por la totalidad o parte de la ganancia. Si una elección es hecha adecuadamente, la ganancia del año de la compra resulta imponible solamente cuando el precio recibido por la venta de la propiedad excede el costo de reemplazo de la propiedad, la cual deberá ser comprada por el vendedor dentro de ciertos límites de tiempo. Se le recomienda consultar a su asesor impositivo debido a los diversos aspectos relacionados con los requisitos para el tratamiento impositivo especial y su declaración bajo las reglas de conversión involuntaria.

¿PERDERÉ LA BASE IMPOSITIVA DE PROPIEDAD FAVORABLE QUE TENGO AHORA CONFORME A LAS DISPOSICIONES DE LA PROPOSICIÓN 13?

El inciso 2(d) del Artículo XIII-A de la Constitución de California, y el Inciso 68 del Código de Ingresos e Impuestos, y el inciso 462.5 del Título 18 del Código de Normas de California generalmente prevén que la ayuda de impuestos de propiedad tienen que ser otorgados a dueños de bienes raíces que adquieran una propiedad de reemplazo comparable luego de haber sido desplazados por la adquisición del gobierno o procedimiento de dominio eminente.

Se le entregará una copia del Inciso 462.5 con una hoja adjunta con ejemplos de cómo calcular montos estimativos de la ayuda impositiva para los que usted puede resultar elegible. Estos son sólo montos aproximados. Debe hablar con el asesor impositivo de su condado para llegar a una determinación final.

Nota: Código de Ingresos e Impuestos, Inciso 68 e Inciso 462.5 del Título 18 del Código de Normas de California establece límites de tiempo que podrían afectar su elegibilidad para retener la condición de impuesto a la propiedad favorable que actualmente posee.

EL PODER DE DOMINIO EMINENTE DE LA AUTORIDAD

Los derechos sobre la propiedad privada de los dueños están garantizados por las constituciones federales y estatales, y las leyes federales y estatales que sean aplicables. El derecho fundamental es que debe abonarse una “indemnización justa” por la propiedad privada adquirida para un proyecto público.

La gran mayoría de las transacciones con propiedades que realiza la Autoridad se celebran por medio de un contrato. Sin embargo, si el dueño y la Autoridad no pueden llegar a un acuerdo en los términos de venta, la Autoridad podrá recurrir al proceso de dominio eminente para evitar así retrasos en el proyecto, y por último, iniciar los procedimientos de expropiación.

Antes de iniciar un procedimiento de expropiación en un tribunal, la Autoridad le dará una oportunidad de consultar acerca del interés público, necesidad, planificación y localización requeridas por el proyecto y su propiedad. Los documentos de expropiación serán

preparados por la Autoridad y presentados ante el tribunal del condado donde la propiedad está ubicada. Todas las personas que tengan derecho de propiedad sobre la parcela serán notificadas y citadas como parte del proceso de dominio eminente. Las personas notificadas tendrán un periodo de 30 días para contestar la demanda.

Los abogados de las partes se prepararán para el juicio y el tribunal establecerá las fechas para las sesiones informativas, las mociones preliminares y el juicio.

¿QUÉ SUCEDE EN UN JUICIO DE EXPROPIACIÓN?

El propósito del juicio es determinar el monto de la indemnización justa. Usualmente, el juicio se realiza ante un juez y un jurado. Tanto el dueño de la propiedad como la Autoridad tendrán la oportunidad de presentar pruebas sobre el valor de la propiedad. El jurado determinará el monto de la indemnización después de haber sido instruidos sobre la ley por el juez. En los casos donde las partes eligen no tener jurado, el juez decidirá el monto de la indemnización.

Después del juicio, un abogado elabora la sentencia y el juez la firma. Establecerá que una vez realizado el pago de la suma dictada en el veredicto para beneficio de las partes privadas que posean una participación en la propiedad, el título será transferido al dominio público.

Cuando la Autoridad efectúe el pago según lo dispuesto en la sentencia, la orden final de expropiación será firmada por el juez e inscrita en la oficina de Registro del Condado. Este registro de la orden final da fe del traspaso efectivo del título.

¿QUIÉN PAGA LOS COSTOS DEL JUICIO DE EXPROPIACIÓN?

La Autoridad paga los costos de sus propios abogados, ingenieros y peritos tasadores de la propiedad. También pagará los honorarios del jurado y le pagará algunos de los gastos reembolsables de acuerdo con la ley. Los honorarios por presentar su respuesta ante el tribunal constituyen un ejemplo de tales costos.

Sin embargo, si una vez finalizado el juicio el juez determina que la oferta de la Autoridad no era razonable, y que la solicitud del dueño de la propiedad era razonable a la luz de la evidencia admitida en juicio y el veredicto, el dueño de la propiedad podrá recibir un reembolso por los gastos de litigio, por ejemplo, los gastos por honorarios de los abogados. La sentencia es entonces preparada por un abogado y firmada por el juez.

SI DESEO INICIAR UN JUICIO, ¿NECESITO UN ABOGADO Y PERITOS?

La mayor parte de los dueños de propiedades serán representados por un abogado, aunque tienen el derecho de representarse a si mismos.

Si usted lo desea, puede consultar con su abogado de confianza. Si no tiene uno, las páginas amarillas de la guía telefónica pueden ser de gran ayuda para encontrar una lista de abogados y de servicios de referencia de abogados. El colegio de abogados local le puede proporcionar una lista de abogados que le podrán ofrecer sus servicios en procedimientos de dominio público.

Usted y su abogado deben decidir el tipo de caso que usted ha de presentar y los peritos que necesitará.

¿SE ME PAGARÁN BENEFICIOS DE ASISTENCIA POR MUDANZA AUNQUE RECURRA A LA JUSTICIA?

Su decisión de ir a la justicia no afecta su derecho a los beneficios de reubicación. El pago de sus beneficios de reubicación es administrado en forma independiente de la acción de expropiación, aunque la suma de indemnización justa que usted recibirá podría afectar la suma de algunos de sus beneficios de reubicación. Se le proporcionarán detalles adicionales de asistencia a personas desplazadas, negocios, granjas u organizaciones sin fines de lucro para encontrar, comprar o alquilar y mudarse a otro lugar. Estos detalles están explicados en varios folletos preparados para los propietarios, inquilinos, negocios y operadores de granjas y los proporciona la Autoridad.

¿POR CUÁNTO TIEMPO PUEDO RETENER MI PROPIEDAD?

La continuidad en el uso de su propiedad usualmente dependerá de la fecha de los preparativos previos al inicio de la construcción, lo que generalmente acarrea la reubicación de servicios públicos y la demolición y/o limpieza de los edificios. En caso de que los preparativos para la construcción deban realizarse antes del juicio, la Autoridad deberá obtener una orden judicial para la tenencia anticipada de su propiedad.

En este caso, la Autoridad tendrá que realizar un depósito ante el Tesorero de Estado, como garantía por los derechos de propiedad que busca adquirir, por la suma probable de indemnización justa, según determine el tasador de la propiedad, que será igual al valor tasado de los derechos de propiedad que solicita. El tribunal determinará si la suma de dinero depositada es adecuada. Una vez que se realice el depósito, el propietario podrá retirar la totalidad o parte de esta suma en cualquier momento, durante el proceso de expropiación.

Luego del depósito, el tribunal podrá conceder a la Autoridad una orden de tenencia temprana, que le permita a la Autoridad hacer uso de la propiedad para la construcción del proyecto.

Para obtener una orden de tenencia, la Autoridad presentará una moción ante el tribunal y solicitará fecha para una audiencia 90 días después de que a usted y todos los ocupantes de la propiedad se los notifique sobre los documentos de la moción (o 60 días si la propiedad no está ocupada). Usted y los ocupantes, si los hay, tendrán 30 días para oponerse a la moción. Una vez que el tribunal emita una orden de tenencia de la propiedad, la Autoridad podrá adquirir la tenencia de la propiedad 30 días después de que el propietario y cualquier otro ocupante sean notificados de la orden. Usted y todas sus pertenencias deberán retirarse de la propiedad no más allá de los 30 días posteriores a la recepción de la orden.

Sujeto a los derechos que cualquier otra persona tenga en la propiedad, usted podrá retirar todo o parte del depósito pre-judicial. Si usted no hace ningún retiro de dinero, la Autoridad le pagará intereses conforme a la resolución del tribunal o a alguna suma acordada de indemnización por el tiempo que su propiedad estuvo legalmente ocupada, hasta la fecha en que se le haga el pago final. Los intereses devengarán conforme a la tasa legal aplicable hasta el momento en que sean abonados, en la sentencia final.

El Agente de Derecho de Paso de la Autoridad que sea asignado a la compra de su propiedad lo asistirá en la transacción y estará disponible para contestar cualquier pregunta adicional que usted tenga.

LA AUTORIDAD FERROVIARIA DE ALTA VELOCIDAD DEL ESTADO DE CALIFORNIA

ABRIL DE 2013

Este documento constituye un folleto de información solamente. Su objetivo no es ofrecer una declaración completa de todas las leyes estatales o federales ni las normas relacionadas con la compra de su propiedad para uso público, el Programa de Asistencia para la Reubicación, definiciones técnicas legales ni ninguna forma de asesoramiento legal.

Notificación ADA

Este documento se encuentra disponible en formatos alternativos para individuos con discapacidades.

PARA INFORMACIÓN CONTÁCTESE A:

California High Speed Rail Authority

770 L Street, Suite 800

Sacramento, California 95814

www.hsr.ca.gov

info@hsr.ca.gov

(916) 324-1541



High-Speed Rail Right-of-Way

La Propiedad Privada El Tren De Alta Velocidad: Respuesta A Sus Preguntas

MI PROPIEDAD Y EL TREN DE ALTA VELOCIDAD

La Autoridad del Tren de Alta Velocidad de California (Autoridad) entiende que los propietarios de propiedad privada pueden verse afectados por la construcción del sistema de tren de alta velocidad propuesto. La Autoridad creó este documento como un vistazo general de referencia para responder a algunas de sus preguntas. Le invitamos a ver el documento completo, “Su Propiedad, Su Proyecto del Tren de Alta Velocidad”, en línea en www.hsr.ca.gov/Programs/private_property.html, donde encontrará información adicional y un listado de deniciones.

¿POR QUÉ TIENE DERECHO UNA AGENCIA PÚBLICA A COMPRAR MI PROPIEDAD?

Nuestras constituciones estatal y federal reconocen la necesidad de las agencias públicas de comprar propiedad privada para uso público, al tiempo que brinda medidas de garantía para lograr este propósito. Las constituciones estatal y federal así como varios estatutos, incluyendo la Ley de Dominio Eminente de California (Eminent Domain Law), el Acta de Asistencia en Reubicación de California (Relocation Assistance Act), y el Acta Federal de Asistencia en Reubicación Uniforme y Políticas de Adquisición de Propiedades (Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act), autorizan la compra de propiedad privada para uso público y establecen la manera en que se le exige a las agencias públicas proteger los derechos de cada ciudadano cuya propiedad esté siendo adquirida.

¿SE ESCUCHARÁ MI PUNTO DE VISTA?

La Autoridad y la Administración Ferroviaria Federal (FRA, por sus siglas en inglés) han estado usando un sistema de planeación multinivel y un proceso de revisión ambiental para el tren de alta velocidad bajo el Acta de Calidad del Medio Ambiente de California (CEQA, por sus siglas en inglés) y el Acta de Política Nacional para el Medio Ambiente (NEPA, por sus siglas en inglés). Después de un proceso de revisión ambiental de varios años, los corredores y ubicación de estaciones preferidos fueron identificados para realizarles un posterior y detallado estudio ambiental a nivel del proyecto.

Durante la revisión ambiental a nivel del proyecto, la Autoridad y FRA han buscado activamente los puntos de vista de los ciudadanos, las organizaciones y las agencias públicas para que los diversos puntos de vista puedan ser considerados en el desarrollo de las alternativas del proyecto y los aspectos ambientales para ser estudiados a futuro en los borradores de documentos ambientales. A los dueños de propiedades potencialmente impactados por el proyecto se les invita a participar y a exponer sus puntos de vista acerca del proyecto, sus impactos potenciales y la ubicación de las alternativas del proyecto.

La Autoridad y FRA publicarán un borrador de reporte/declaración de impacto ambiental (Borrador EIR/EIS) para cada sección del sistema estatal de tren de alta velocidad. Un periodo de comentarios públicos, durante el cual se recibirán comentarios del público, seguirá a la publicación del borrador. Durante este tiempo, la Autoridad también organizará reuniones públicas y/o talleres de trabajo adicionales, los cuales le brindan a los miembros del público otra oportunidad para expresar sus puntos de vista acerca del proyecto y las ubicaciones que están siendo consideradas.

¿CUÁNDO SABRÉ SI LA AUTORIDAD NECESITA ADQUIRIR MI PROPIEDAD Y CÓMO Y CUÁNDO ADQUIRIRÁ LA AUTORIDAD MI PROPIEDAD, EN CASO DE SER NECESARIO?

Al terminar el periodo de comentarios del público acerca del Borrador EIR/EIS, la Autoridad evaluará y elaborará respuestas a los comentarios públicos para que sean incluidos en el EIR/EIS Final. La Junta Directiva de la Autoridad también recibirá una presentación en la que se designe una alternativa preferida, la cual se identificará en el EIR/EIS Final. La designación de una alternativa preferida para cada sección se llevará a cabo en una reunión anunciada públicamente por la Junta Directiva de la Autoridad.

Una vez que una propiedad sea identificada por estar en el trayecto de la alternativa designada anunciada públicamente, la Autoridad podría poner en marcha el proceso de tasación, siendo este el primer paso en el proceso de adquisición de la propiedad requerida.

El tasador de la Autoridad es normalmente la primera persona que contacta al dueño de la propiedad. Si toda o una parte de la propiedad es requerida para el proyecto, se envía una notificación por escrito al dueño de la propiedad, invitándolo(a) a acompañar al tasador durante una inspección de la propiedad. El proceso de tasación comienza normalmente varios meses antes de que la propiedad sea requerida para la construcción. Los tiempos exactos estarán basados en el cronograma del proyecto y las necesidades. Una vez concluya el proceso de tasación, y después de la aprobación del EIR/EIS Final, el Agente para Derecho a la Vía de la Autoridad asignado para comprar la propiedad contactará al dueño de la propiedad.

Por favor revise el documento completo, "Su Propiedad, Su Proyecto del Tren de Alta Velocidad", en línea, donde encontrará información más detallada sobre los procesos de tasación y adquisición.

¿CUÁLES SON LAS VENTAJAS DE VENDER MI PROPIEDAD A LA AUTORIDAD?

- Se le pagará un valor justo de mercado.
- La Autoridad pagará por la preparación de todos los documentos, incluyendo los cargos de título plica (escrow), seguro de título, cargos de registro y otros cargos que se exigen.
- Usted no tendrá que pagar comisiones de agentes de bienes raíz.
- Usted no pagará ningún pago de vendedor.
- Usted podría, dependiendo de las circunstancias, ser elegible para recibir pagos y beneficios de reubicación.

¿POR CUÁNTO TIEMPO PUEDO CONSERVAR MI PROPIEDAD?

El uso continuado de su propiedad depende de la fecha en que se inicie la preparación para la construcción, generalmente lo primero es la reubicación de los servicios públicos y la demolición y/o remoción de edificaciones. El Agente para Derecho a la Vía de la Autoridad asignado para la compra de su propiedad le asistirá en la transacción y estará disponible para responderle cualquier pregunta adicional que usted pueda tener.

¿SE ME PAGARÁ POR LA PÉRDIDA DE VALOR EN EL RESTO DE MI PROPIEDAD?

Cuando se necesita sólo una parte de su propiedad para un proyecto, se hace todo esfuerzo razonable para asegurarse de que usted no sufra daños en el resto de su propiedad. El pago total hecho por la Autoridad incluirá el valor justo del mercado de la propiedad por el que la Autoridad compra, más cualquier pérdida en el valor de mercado que pueda sufrir el resto de su propiedad.

La determinación de cualquier pérdida en el valor de mercado ocasionado por una adquisición parcial es una labor de tasación que incluye muchas variables. Cuando ocurre esta situación, el Agente para Derecho a la Vía explicará el efecto de una adquisición parcial en el resto de su propiedad.

¿QUÉ PASA SI MI PROPIEDAD NO ES ADQUIRIDA, PERO SE AFECTA EL VALOR DE MI PROPIEDAD?

¿EXISTE UNA COMPENSACIÓN POR ESTO?

Aunque la Autoridad no anticipa que vaya a haber una pérdida de valor en las propiedades que no sean requeridas para el proyecto, los propietarios que consideren que hayan sufrido una pérdida pueden presentar un reclamo con la Oficina de Reclamos del Gobierno del Estado de California. Encuentre más información en línea en www.vcgcd.ca.gov/claims/

Este es un boletín informativo solamente. No tiene como propósito hacer una declaración completa de todas las leyes y regulaciones estatales o federales concernientes a la compra de su propiedad para uso público, el Programa de Asistencia en Reubicación, deniciones técnicas legales o contiene alguna forma de consejo legal.



Permit to Enter Process

Private Property and Environmental Studies: Your Questions Answered

Whenever large projects, like the high-speed rail program are being planned, certain requirements must be met. Some of these requirements include state and federal environmental rules and laws. These rules and laws guide high-speed rail program planners to look carefully at how the program might impact the environment. They must also find ways to reduce those impacts when possible. Environmental surveys are a way to measure potential program impacts and prepare potential mitigation strategies to address those impacts.

When building a program such as high-speed rail, planners must figure out how this program will potentially affect any number of items from biological and cultural materials to traffic to noise levels. To complete these surveys, California High-Speed Rail Authority (Authority) scientific experts will go to areas around the future high-speed rail program to conduct studies.

While many of these properties are privately owned, the Authority's experts will still need to visit those properties to collect information and conduct the necessary studies. To gain access to privately-held properties, the Authority issues a Permit to Enter (PTE) form requesting access to the property. Once the PTE form is signed and returned, the Authority or its representatives will contact the property owner to arrange access.

Completing the environmental surveys is an important step in planning the high-speed rail program. Your help and permission to enter your property are very important, and we appreciate your help.

Please view the following Frequently Asked Questions (FAQ) regarding the PTE process:

WHO IS THE CALIFORNIA HIGH-SPEED RAIL AUTHORITY?

The Authority is a state agency that is responsible for planning, designing, building and operating the first high-speed rail system in the nation.

WHY DOES THE AUTHORITY NEED TO CONDUCT ENVIRONMENTAL STUDIES ON MY PROPERTY?

Federal and State laws such as the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) require the assessment of potential impacts to environmental resources when building new projects. These studies identify the potential presence of environmental resources and help to determine how to reduce and mitigate for negative impacts to them. These environmental studies may include surveying for or sampling archaeological, botanical and wildlife resources or conducting geologic tests to better understand soil conditions.

DO ENVIRONMENTAL STUDIES ON MY PROPERTY MEAN THE AUTHORITY WANTS TO ACQUIRE MY PROPERTY?

Accessing your property to conduct environmental studies does not necessarily mean the Authority will want to acquire your property. Your property may be accessed for environmental study to help determine where environmental resources exist to determine the best possible alignment for the rail to pass/take through an area, or simply to learn the extent of a particular resource within the area.

IF I AGREE TO LET EXPERTS FROM THE AUTHORITY ON TO MY PROPERTY, HOW WILL I KNOW WHEN THEY ARE COMING?

After you have provided the Authority with permission to access your property, a forty-eight (48) hour notice will be given to each owner/operator of the property to notify them that the experts will be on your property.

CAN THE AUTHORITY ACCESS MY PROPERTY MORE THAN ONCE?

The Authority may access your property on more than one occasion during the time period set forth on the Permit to Enter (PTE) form that you signed. Each time the Authority plans to access your property, the Authority will provide you with notice at least forty-eight (48) hours in advance. If you have questions about the timeframe on the PTE form you have signed, please contact the Authority for assistance.

WHAT WILL THESE EXPERTS FROM THE AUTHORITY DO WHEN THEY ARE ON MY PROPERTY?

They will conduct surveys on your property of environmental resources to help determine how to reduce and plan for any potential impacts to your property from the high-speed rail program. These experts will not:

- Go inside your house or other structures. They will only go in outside areas like front yards and back yards.
- Alter or remove anything from the property.

WHAT TYPE OF WORK MIGHT THE AUTHORITY NEED TO DO ON MY PROPERTY?

The Authority's representatives will conduct surveys that may include the collecting of cultural/biological plant material such as leaves, and flowers, some hand digging of small soil pits and soil testing, drilling or trenching. As per all applicable rules and regulations, all excavated soils will be backfilled. Should intrusive investigations such as drilling or trenching be required, the Authority will work with you to determine the least impactful way to complete this work and will provide financial compensation when appropriate.

CAN I GIVE SPECIAL CONDITIONS FOR ACCESSING MY PROPERTY?

If you have any special conditions or instructions of which the survey teams should be aware, or if you would like to be present while the team(s) is (are) performing these studies, please include your name, contact information and best time to contact you, along with any special instructions, on the PTE form you are returning to the Authority.

CAN I REFUSE TO ALLOW PLANNERS ACCESS TO MY PROPERTY?

Yes. If you do not want planners accessing your property, you can mark your PTE form as "Do Not Enter" and return it to the Authority. Although Authority planners may be doing survey work in the area, they will not enter your property.

WILL ENVIRONMENTAL DETAILS ABOUT MY PROPERTY BE MADE PUBLIC?

Environmental studies build the environmental analysis included in Environmental Impact Reports/Environmental Impact Statements (EIR/EIS), which are provided for public review; however property specific details are not specified in the greater context of the assessment summary. Other technical reports that may result from environmental studies are submitted to oversight agencies for review; however, property details, if specified, are redacted if the studies are made public.

Permiso-de-Ingreso

Estudios sobre propiedad privada y medio ambiente: Respuestas a sus preguntas

Cuando se planifican proyectos grandes, como el del tren de alta velocidad, deben cumplirse ciertos requisitos. Entre ellos, se encuentran las leyes y normas ambientales federales y estatales. Estas normas y leyes orientan a los planificadores del proyecto del tren de alta velocidad para que observen cuidadosamente cómo el proyecto podría impactar sobre el ambiente, y estos deben encontrar formas de reducir esos impactos, de ser posible. Las investigaciones ambientales son una forma de medir los potenciales impactos de los proyectos y elaborar potenciales estrategias de mitigación para tratar esos impactos.

Al armar un proyecto como el del tren de alta velocidad, los planificadores deben calcular cómo este proyecto afectará potencialmente a cualquier cantidad de cosas, desde materiales biológicos y culturales hasta tráfico y niveles de ruido. Para completar las investigaciones ambientales, los científicos expertos de la Autoridad Ferroviaria de Alta Velocidad de California (la Autoridad) visitarán las zonas aledañas al futuro proyecto de tren de alta velocidad para realizar estudios.

Si bien muchas de esas propiedades, en general, son privadas, los expertos de la Autoridad deberán visitarlas para recabar información y realizar los estudios necesarios. Para acceder a propiedades privadas, la Autoridad emite una carta de Permiso de Ingreso (PTE, en inglés) solicitando el acceso a la propiedad.

La compleción de las investigaciones ambientales constituye un paso importante en la planificación del proyecto de tren de alta velocidad y hacerlo realidad. Su ayuda y permiso para ingresar en su propiedad son muy importantes, por lo que le agradeceremos su ayuda.

Lea las siguientes preguntas frecuentes sobre este proceso de PTE:

¿QUIÉN ES LA AUTORIDAD FERROVIARIA DE ALTA VELOCIDAD DEL ESTADO DE CALIFORNIA?

La Autoridad Ferroviaria de Alta Velocidad (Autoridad) es una agencia estatal responsable de planificar, diseñar, construir y operar el primer sistema de tren de alta velocidad de la nación.

¿POR QUÉ LA AUTORIDAD NECESITA REALIZAR ESTUDIOS AMBIENTALES EN MI PROPIEDAD?

Las leyes federales y estatales, como la Ley Nacional sobre Política Ambiental (NEPA, por sus siglas en inglés) y la Ley de Calidad Ambiental de California (CEQA, por sus siglas en inglés) exigen la realización de evaluaciones sobre potenciales impactos sobre los recursos ambientales al armar nuevos proyectos. Estos estudios identifican la potencial presencia de recursos ambientales y ayudan a determinar los modos de reducir y mitigar los impactos negativos sobre estos. Estos estudios ambientales podrían incluir la realización de investigaciones o muestreos sobre recursos arqueológicos, botánicos y silvestres o la realización de pruebas geológicas para comprender mejor las condiciones del suelo.

¿LA REALIZACIÓN DE ESTUDIOS AMBIENTALES IMPLICA QUE LA AUTORIDAD DESEA ADQUIRIR MI PROPIEDAD?

El acceso a su propiedad para realizar estudios ambientales no necesariamente significa que la Autoridad querrá comprar su propiedad. Puede que se ingrese en su propiedad para realizar estudios ambientales que ayuden a determinar dónde existen recursos ambientales que permitan determinar el mejor alineamiento posible para que el tren pase/atraviese un área o simplemente conocer el alcance de un recurso en especial dentro del área.

SI ACEPTO PERMITIRLES A LOS EXPERTOS DE LA AUTORIDAD INGRESAR EN MI PROPIEDAD, ¿CÓMO SABRÉ CUÁNDO VENDRÁN?

Una vez que usted emita el permiso para que la Autoridad ingrese en su propiedad, se enviará una notificación con cuarenta y ocho (48) horas de anticipación a cada propietario/operador informándoles que los expertos visitarán su propiedad.

¿LA AUTORIDAD PODRÁ INGRESAR EN MI PROPIEDAD MÁS DE UNA VEZ?

La Autoridad podrá ingresar en su propiedad en más de una ocasión durante el período de tiempo establecido en el formulario de Permiso de Ingreso (PTE) que usted haya firmado. Cada vez que la Autoridad planee ingresar en su propiedad, esta le enviará una notificación con cuarenta y ocho horas de anticipación. En caso de duda respecto del plazo del formulario del PTE que haya firmado, contáctese con la Autoridad para solicitar ayuda.

¿QUÉ HARÁN ESTOS EXPERTOS DE LA AUTORIDAD CUANDO ESTÉN EN MI PROPIEDAD?

Realizarán investigaciones sobre los recursos ambientales de su propiedad para ayudar a determinar cómo reducir potenciales impactos que el proyecto del tren de alta velocidad cause a su propiedad y planificar. Estos expertos no:

- Ingresarán en su casa ni otras estructuras. Sólo ingresarán en zonas externas, como patios delanteros y patios traseros.
- Alterarán ni extraerán nada de la propiedad.

¿QUÉ TIPO DE TRABAJO PODRÍA TENER QUE REALIZAR LA AUTORIDAD EN MI PROPIEDAD?

Los representantes de la Autoridad realizarán investigaciones que podrían incluir: la recolección de material vegetal de cultivo/biológico, como hojas y flores, algunas excavaciones a mano de pequeños pozos de tierra y pruebas de la tierra, perforaciones o apertura de zanjas. Conforme a las normas y reglamentaciones aplicables, todos los suelos excavados serán rellenados. En caso de ser necesaria alguna investigación intrusiva, como perforación o apertura de zanjas, la Autoridad trabajará con usted para determinar la forma de completar este trabajo que genere menos impacto y le otorgará una compensación económica, cuando corresponda. Consulte el Permiso de Ingreso adjunto para conocer los requisitos específicos en relación con su propiedad.

¿PUEDO ESTABLECER CONDICIONES ESPECIALES PARA ACCEDER A MI PROPIEDAD?

En caso de tener condiciones o instrucciones especiales que los equipos de investigación deberían tener en cuenta o en caso de que usted quisiera estar presente mientras el/los equipo(s) lleva(n) a cabo estos estudios, indique su nombre, número de teléfono y el mejor horario para contactarlo junto con las instrucciones especiales en el permiso de Ingreso al presentarlo ante la Autoridad.

¿PUEDO NEGARLES A LOS PLANIFICADORES EL ACCESO A MI PROPIEDAD?

Sí. Si no desea que los planificadores ingresen en su propiedad, puede marcar en su Permiso de Ingreso la opción "No ingresar" y entregárselo a la Autoridad. Si bien los planificadores de la Autoridad pueden realizar trabajos de investigación en la zona, no ingresarán en su propiedad.

¿LOS DETALLES AMBIENTALES SOBRE MI PROPIEDAD SE HARÁN PÚBLICOS?

Los estudios ambientales forman el análisis ambiental incluido en los Informes de Impacto Ambiental/Declaraciones de Impacto Ambiental (EIR/EIS, por sus siglas en inglés) que se entregan para revisión pública; no obstante, no se incluyen los detalles específicos de la propiedad en el contexto más amplio del resumen de la evaluación. Se entregan a agencias de supervisión para su revisión otros informes técnicos que podrían derivar en estudios ambientales; sin embargo, los detalles de la propiedad, en caso de estar especificados, se redactan si los estudios se hacen públicos.

Permit to Enter Process for Private* Property Owners

Environmental Phase Fieldwork:

Covers Environmental Studies and Geotechnical Survey Work

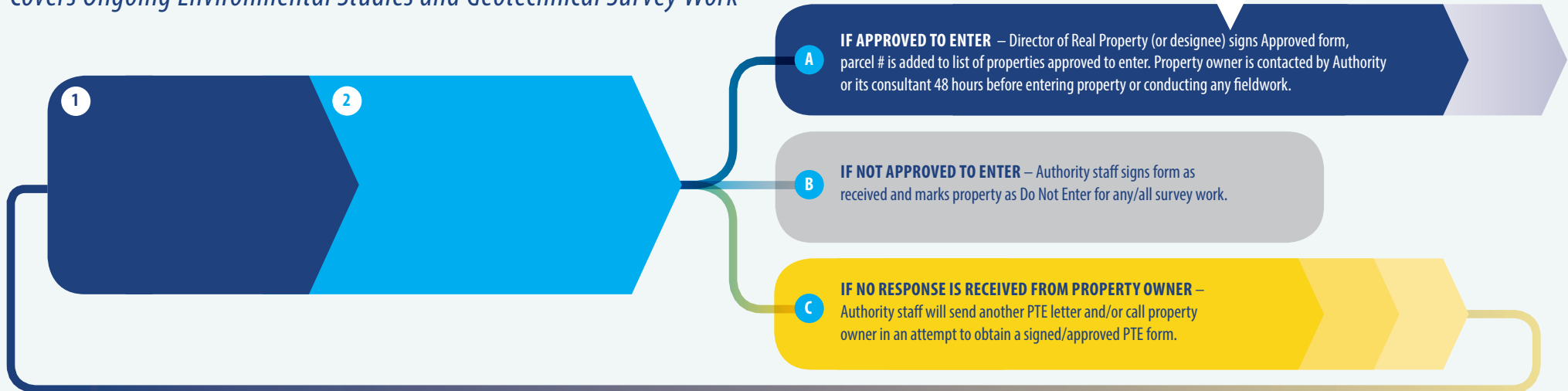
For any confidential or special requests and any compensation requests, PTE request forwarded to Authority Legal and Right-of-Way Team for review and recommendation.



Ongoing (Post-EIR/EIS), Pre-Construction Fieldwork:

Covers Ongoing Environmental Studies and Geotechnical Survey Work

For any confidential or special requests and any compensation, PTE request forwarded to Authority Legal and Right-of-Way Team for review and recommendation.



CALIFORNIA High-Speed Rail Authority



For large organizations with their own PTE processes (Utilities, Railroads, Water Districts, School Districts, etc.) general PTE letters are not sent and are handled on a case-by-case basis.

JUNE 2014

H.3-55



CALIFORNIA
High-Speed Rail Authority

NORTHERN CALIFORNIA REGIONAL OFFICE

100 Paseo de San Antonio, Suite 206

San Jose, CA 95113

san.francisco_san.jose@hsr.ca.gov

Comment Card

NAME:

DATE:

ADDRESS:

EMAIL:

PHONE:

CITY:

STATE:

ZIP:

MEETING LOCATION:

AFFILIATION:

WOULD YOU LIKE TO BE ADDED TO OUR MAILING LIST? (Check all that apply)

☐ **STATEWIDE**

☐ **SAN FRANCISCO TO SAN JOSE**

☐ **SAN JOSE TO MERCED**

COMMENTS:

WOULD YOU LIKE SOMEONE FROM THE AUTHORITY TO CONTACT YOU REGARDING YOUR COMMENT/QUESTION?

☐ **YES** ☐ **NO**

*ALL INFORMATION IS CONFIDENTIAL



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COMMENTS:

WOULD YOU LIKE SOMEONE FROM THE AUTHORITY TO CONTACT YOU REGARDING YOUR COMMENT/QUESTION?

☐ **YES** ☐ **NO**

*ALL INFORMATION IS CONFIDENTIAL

Appendix H.4

Sign-In Sheets

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EVENT ORGANIZER:
EVENT NAME:
DATE/TIME:
LOCATION:
ADDRESS:


California High-Speed Rail Authority
San Francisco to San Jose Scoping Meetings
Monday, May 23, 2016
UCSF Mission Bay
1500 Owens Street, San Francisco, CA 94158

Voluntary Sign-In

SIGN IN			
NAME/NOMBRE: AFFILIATION/AFILIACIÓN:	ADDRESS, CITY, STATE, ZIP: DOMICILIO, CIUDAD, ESTADO,CÓDIGO POSTAL:	PHONE/ TELÉFONO:	E-MAIL/CORREO ELECTRÓNICO:
NAME/NOMBRE: AFFILIATION/AFILIACIÓN:	ADDRESS, CITY, STATE, ZIP: DOMICILIO, CIUDAD, ESTADO,CÓDIGO POSTAL:	PHONE/ TELÉFONO:	E-MAIL/CORREO ELECTRÓNICO:
NAME/NOMBRE: AFFILIATION/AFILIACIÓN:	ADDRESS, CITY, STATE, ZIP: DOMICILIO, CIUDAD, ESTADO,CÓDIGO POSTAL:	PHONE/ TELÉFONO:	E-MAIL/CORREO ELECTRÓNICO:
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		EVENT ORGANIZER: EVENT NAME: DATE/TIME: LOCATION: ADDRESS:	California High-Speed Rail Authority San Francisco to San Jose Scoping Meetings Tuesday, May 24, 2016 San Mateo Marriott 1770 S. Amphlett Boulevard, San Mateo, CA 94402	Voluntary Sign-In

SIGN IN			
NAME/NOMBRE: AFFILIATION/AFILIACIÓN:	ADDRESS, CITY, STATE, ZIP: DOMICILIO, CIUDAD, ESTADO,CÓDIGO POSTAL:	PHONE/ TELÉFONO:	E-MAIL/CORREO ELECTRÓNICO:
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		EVENT ORGANIZER: California High-Speed Rail Authority EVENT NAME: San Francisco to San Jose Scoping Meetings DATE/TIME: Wednesday, May 25, 2016 LOCATION: SFV Lodge ADDRESS: 361 Villa Street, Mountain View, CA 94041	Voluntary Sign-In

SIGN IN			
NAME/NOMBRE: AFFILIATION/AFILIACIÓN:	ADDRESS, CITY, STATE, ZIP: DOMICILIO, CIUDAD, ESTADO,CÓDIGO POSTAL:	PHONE/ TELÉFONO:	E-MAIL/CORREO ELECTRÓNICO:
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